EDITOR'S NOTE

THE FOLLOWING PAGES WERE POOR HARD COPY AT THE TIME OF FILMING. IF AND WHEN A BETTER COPY CAN BE OBTAINED, A NEW FICHE WILL BE ISSUED.

Supreme Court, U.S.
FILED
JUL 7 1987
JOSEPH F. SPANIOL, JR.
CLERK

87-279

No. _____

****

In the

Supreme Court of the United States

October Term, 1987

****

EMILY RUTH BALLINGER,

Petitioner,

vs.

NORTH CAROLINA AGRICULTURAL EXTENSION SERVICE, et al.,

Respondents.

****

PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

VOLUME II OF III

****

Max D. Ballinger
Attorney for Petitioner
Post Office Box 8010
Greensboro, North Carolina
27419-0010

Of Counsel:

Max D. Ballinger
Telephone: (919)294-3387

****

TABLE OF CONTENTS

VOLUME ONE

Questions Presented for Review.....i

Parties to Proceeding Identified.....iii

Table of Contents.....iv

Table of Authorities.....x

Citations of Opinions Heretofore Rendered in this Matter.....1

Ground on which Jurisdiction of the United States Supreme Court is Sought.....1

Statutes Involved in this Case.....3

Statement of Facts.....5

Argument.....31

1. May an Employer immunize itself from liability for employment discrimination by delegating its employment decisions to a third party that acts in a discriminatory manner and when the employer engages in acts of omission or commission which result in the third party's acting in a discriminatory manner?.....31

2. Summary Judgment on Plaintiff's Title VII Claims against the State Defendants was inappropriate because genuine issues of material fact were raised by the pleadings and the evidence before the court, and the Court of Appeals erred in affirming the District Court Decision dismissing

Plaintiff's Title VII Claims against the State Defendants.....37

3. Summary Judgment was Improper as to the Plaintiff's ADEA Claim against the State Defendants.....57

4. The Court erred in allowing the State Defendants' Motion for Summary Judgment and in dismissing the Plaintiff's Cause of Action for Conspiracy.....59

5. Summary Judgment was inaappropriate on Plaintiff's Claim under 42 U.S.C. 1983 and the Court erred in dismissing the Plaintiff's Claim.....60

6. The Court's granting the State Defendants' Motion for Summary Judgment on Plaintiff's Breach of Contract Cause of Action and Dismissal of the Action was Error.....61

7. The Court erred when it ignored and dismissed Plaintiff's claim of retaliation against her by the State Defendants arising from her filing of an EEOC grievance.....65

INDEX TO APPENDIX

Opinion of Fourth Circuit Court of Appeals (3/9/87).....1

Order of District Court (5/22/86).....28

Complaint (3/8/84).....69

VOLUME TWO

Defendant's Exhibit 1 to Plaintiff's Deposition (4/1/85).....144

Initial Conclusions of Grievance Panel (4/30/85).....227

Letter from Chester Black to Grievance Panel to reconvene (4/30/85).....220

Final Conclusions of Grievance Panel (4/30/85).....231

First Resume submitted By Russell King (4/30/85).....236

Second Resume Submitted by Russell King (4/30/85).....239

Equal Employment Opportunity Statement of Extension Service (4/30/85).....244

Letter from Plaintiff to Hugh L. Liner dated January 10, 1983 (4/30/85)....247

Response of Defendants NCAES and NCSU to Interrogatories with Attachments (Response and attachments filed on 4/30/85)..... 265

Attachment 5a - Selection Procedures for County Chairman (4/30/85).....273

Attachment 5b - Promotion information (4/30/85).....278

Attachment 5c - Promotion policy (4/30/85).....285

Job Summary - County Extension Chairman (4/30/85).....292

Attachment 9(b) - Memorandum of Understanding (4/30/85).....312

VOLUME THREE

Attachment 14 -Statistical data of appointments by sex and age (4/30/85).....321

Hugh L. Liners' Answers to Interrogatories with attachments (Interrogatories and following attachments filed 4/30/85).....344

Attachment 4 - Letter of Liner to Gupton.....353

Attachment 5 - Letter of Gupton to Liner.....354

Attachment 6 - Letters from Liner to Smith.....355

Attachment 7 - Letter from Smith to Liner.....356

Attachment 8 - Letter from Liner to Medlin.....358

Attachment 9 - Letter from Medlin to Liner.....359

Russell King's Answers to Interrogatories (4/30/85).....362

Affidavit of Donna Roope (3/29/85)....367

Portions of Transcript of Grievance Hearing - September 9, 1982 (4/30/85).....370

Affidavit of Plaintiff Regarding Transcript (4/30/85).....456

Grievance Procedures of NCAES (4/30/85).....457

Resume of Plaintiff (4/30/85).....476

Affidavit of Plaintiff (4/30/85).....484

Settlement Agreement.....487

Dismissal.....496

Text of 42 USC 1985.....498

Defendant's Exhibit 1, at the

Deposition of Emily R. Ballinger

Filed with the Court on April 1, 1985

IN MATTER OF:

Grievance Filed By:

EMILY R. BALLINGER

Before the

Grievance Committee

North Carolina Agricultural Extension

Service

June, 1982

I N D E X

Introduction and Summary.....1

Comparison of Qualifications of

Emily R. Ballinger

and Russell King:

Personal Information,

Emily R. Ballinger.....18a

Personal Information, Russell King.....18b

Education, Emily R. Ballinger.....19

Education, Russell King..... 21

Employment History, Emily R. Ballinger. 33

Employment History, Russell King.....34

In-Service Training,

Emily R. Ballinger..... 22

In-Service Training, Russell King.....32

Professional Activities,

Emily R. Ballinger.....35

Professional Activities,

Russell King..... 39

Religious and Civic Activities,

Emily R. Ballinger..... 40

Religious and Civic Activities,
Russell King..... 41
Honors, Emily R. Ballinger..... 42
Honors, Russell King..... 43
Newspaper Article Announcing Appointment
of Russell King..... 44
Newspaper Article Announcing Attendance
of Farmers at Commissioners'
Meeting.....45
Job Description of County
Chairman Position.....46

INTRODUCTION AND SUMMARY

By way of introduction, my name is Emily R. Ballinger. ia m female, white, and 55 years old. I have been a Home Economics Extension Agent with the North Carolina Agricultural Extension Service for over 33 years.

During most of my 33 years with the Extension Service, I have served in Warren County, North Carolina.

In the Spring of 1979, there was an announcement that a vacancy would shortly exist in the position of County Chairman for Warren County by reason of the retirement of the then current County Chairman of the Extension Service. Interested applicants were to submit applications by a certain date.

I followed all of the appropriate application procedures, and had an interview with a committee consisting of Doctor Carlton Blalock, Doctor Chester Black, and Doctor Paul Dew.

After the interview, the committee was to make a recommendation to the Warren County Commissioners for their approval of a new County Chairman.

My competition for the position at that time was Mr. L. C. Cooper, a black, male, a few years older than I.

By all of the usual yardsticks for deciding who should fill the position, I was a superior applicant to Mr. Cooper. I had more years of service and comparable service with the Extension Service than did Mr. Cooper. I had Master's Degree, a recommended requirement for the position, and Mr. Cooper did not. I had a superior record of performance to Mr. Cooper. However, Mr. Cooper was given the position.

The factors which ultimately resulted in Mr. Cooper's getting the job were that he was a male, ad he was black. Warren County's black population is approximately 64 percent.

The filling of the vacancy came at a sensitive time since several blacks within the Extension Service had filed a discrimination suit against the Extension Service in Federal Court and the lawsuit was pending.

I was thus victimized by a form of reverse discrimination and not given the job, I respectfully contend, because I was not black and because I was not male.

On February 25, 1982, I saw for the first time a copy of a staff vacancy sheet which announced that the position of County Chairman for Warren County would again be vacant in that Mr. L. C. Cooper was retiring and that applications should be made before March 15, 1982. Further instructions were that individuals interested in applying for the position should contact their District Chairman before contacting Doctor Dew.

On March 1, 1982, Doctor Hugh Liner (District Chairman for my district) came

to the county and met with the Extension staff. He said there was to be a vacancy on the staff but he did not want the applicants to get people to write letters on their behalf and that he did not want campaigning. He further stated that the state would make a decision and present it to the county commissioners.

Following his comments, he stated that he would see any member of the staff who wished to speak with him. I wanted to speak with Dr. Liner and I did so speak with him expressing my desire to apply for the position of County Chairman.

Doctor Liner told me to write Doctor Dew a letter expressing my interest in the position.

On March 9, 1982, I wrote Doctor Dew and told him I would like to apply for the County Chairmanship.

A day or so following March 16, 1982, I received a letter from Doctor Dew dated March 16, 1982, setting an appointment for

me to come for an interview in Raleigh on March 23, 1982. I was instructed to bring five copies of my resume with me to the interview. I assume that all other applicants were given the same instructions.

At some time during March, 1982, Mr. Russell King came to my office and told me he was applying for the position as well. Mr. King told me that he had been concerned about it for several days and thought he should tell me. He said he planned to work in Warren County for a while and then he had some other plans. As I recall, I told him that the job was open for anyone to apply.

On March 23, 1982, I went to Raleigh for the scheduled interview. The essence of that interview is as follows:

EMILY R. BALLINGER

1982 Interview for the Position of

Warren County Extension Chairman

Date: Tuesday, March 23, 1982, 3:00 P.M.

Place: Room 108 Ricks Hall
North Carolina State University
Raleigh, North Carolina

Persons present: Emily R. Ballinger and the following Committee Members

Committee:

Doctor Chester D. Black
Associate Dean and Director,
Agricultural Extension Service
104 Ricks Hall Box 5157
North Carolina State University
Raleigh, North Carolina 27650

Doctor Paul E. Dew
Associate Director,
County Operations
110 Ricks Hall Box 5157
North Carolina State University
Raleigh, North Carolina 27650

Doctor Hugh L. Liner
District Chairman,
North Central District
307 Ricks Hall Box 5066
North Carolina State University
Raleigh, North Carolina 27650

Prior to starting the interview there was small talk about my having been in this same position three years ago. Also, that I was on a review committee prior to Doctor Black's being appointed Director and that I was on the other side.

Doctor Dew: Since we were here three years ago Emily, I would like to see what your ideas are about the program in Warren County.

Doctor Liner: (Observed that he was new on the committee and had only served since April 1979).

Doctor Black: From looking at this resume you are getting near or in the range of retirement. Why do you want the job of Extension Chairman with all the Headaches, etc? I'm not in any way suggesting you retire.

Emily Ballinger: I don't plan to retire any time soon. I applied for the position because I feel I am qualified for the job. I felt that I was qualified

three years ago and I feel I an mow. I like Extension and I would like to stay in Warren County and I would like the job of leadership of the County Extension Program. I know Warren County is an agricultural county and I am not trained in agriculture, my subject matter training being Home Economics. I think I could do the administrative work of the County Extension Chairman and with the a competent staff the Agricultural Agents could carry on the work in agriculture as they are now.

Doctor Black or Doctor Dew: What do you see so far as staff assignments are concerned in the Warren County program? As chairman I think you could handle the home economics program all right.

Emily Ballinger: Is Mr. Cooper's position going to be filled? Or will it be frozen? He has forestry, livestock and marketing as his responsibilities now and I think we need someone to take these. I

see Mr. King keeping his same areas of work.

In regard to the 4-H program, we may not need two full-time agents but keeping the two agents we have it might be difficult to change because of their subject matter training. I do not know in what field Mr. Koonce is trained but I do know that I one time several years ago he did some work in swine. If he is trained in this he might do some work in that. I just don't know about his training.

Mr. Woolard is not trained in agriculture. His training is in recreation, I think, so he would not be suitable for a subject matter area. Ideally, we should have a woman doing some 4-H work other than just assigned areas of responsibility but with the present staff that would be hard to do.

Doctor Dew: Suppose Mr. Koonce said he wanted to be the livestock agent.

Emily Ballinger: That might be easy

to settle the problem of 4-H but I do not know if he has livestock training.

Doctor Black: I don't think it is fair to the people of the county to take him without further concentrated training and put him in the livestock position.

Emily Ballinger: If the position (Mr. Cooper's) is frozen I have thought maybe there could be some work with Marshall Bowden in Vance County working in Warren, because I know he has worked closely with the Warren agents and Dairy farmers with DHIA.

Question (by whom I cannot remember): If you had a problem lets say with this new livestock agent and he did not want to cooperate with the county program what would you do?

Emily Ballinger: I would sit down with the individual and discuss the problem and try to work out the differences right there in the county. If we just could not get things worked out I

would call the District Chairman to come and discuss the problems with us and help iron them out.

Question (by whom I cannot remember): If you became chairman how would you go about working with your staff?

Emily Ballinger: I would sit with the entire staff and ask each member if he had suggestions for changes and improvements. That is not to say that I would necessarily adopt or follow the suggested changes but I would want to have their input into the program by hearing and listening to their suggestions.

Doctor Black: Suppose you did not get any, what would you do?

Emily Ballinger: I would talk with each member individually.

Question (by whom I cannot remember): How about your Extension Advisory Council. Where is Warren County on that?

Emily Ballinger: It has recently been reorganized. We met once recently

and have another council meeting planned to work on or discuss the budget.

As Extension Chairman I would work closely with this Council and also with the Board of County Commissioners in carrying out the Extension Program in Warren County.

Doctor Black: What kind of leadership style do you have?

Emily Ballinger: Democratic. I believe in letting others have input in the program.

Question (by whom I cannot remember): Suppose you became County Chairman and you received in the mail one morning a letter from the County Commissioners that they were closing out a position on your staff. What would you do?

Emily Ballinger: I would contact the Chairman of the Advisory Council and tell him and let the Advisory Council see what it could do to help get the position reinstated. I would also call Doctor

Liner (the District Chairman) and tell him what had happened. I would also talk with the Chairman of the Board of Commissioners.

Doctor Black: I like that answer.

Doctor Liner: There is something else that you may not know too much about which is the Memorandum of Understanding with the Commissioners and they can't actually do that. There is an agreement that they must discuss it with the state administration before something like that could be done.

Doctor Black: I still like her answer.

Doctor Dew: Any more questions? Emily, maybe you would like to ask some.

Emily Ballinger: When will the position be filled?

Answer: We hope to fill it on April 5, 1982. In light of the lawsuit that is pending, we have not heard from the judge yet. If there is a ruling from him that

says we can't fill it it should be done so the individual could work with Mr. Cooper the month prior to his leaving. (At some point during the interview they told me that there were three applicants for the position - Russell King, George Koonce, and Emily Ballinger).

Emily Ballinger: What is the salary for the position? If it has the headaches Doctor Black mentions, I just want to know if it is worth it.

Doctor Dew: I will give the standard answer. That will be worked out but it will be above your present salary. Enough to buy some aspirin.

Emily Ballinger: Well, good, I just wondered.

Doctor Dew: Are there any more questions?

Doctor Liner: Yes, I have one. If one of the other applicants gets the position, do you think you can work with him?

Emily Ballinger: I was asked that same question three years ago and my answer was yes and it still is yes. I want to continue working in Warren County and I hope I can work with whomever is Chairman.

When I completed my interview and left, Mr. King was waiting in the outer office for his interview.

Doctor Liner made notes all during the interview.

I will interject one note out of context here. I do not know whether Mr. King was given the same instructions as I with reference to bringing five copies of his resume. I certainly assume that he was. However, I know that either on his own initiative or upon the suggestion of someone in Raleigh, likely during his interview, that Mr. King was either advised to or did prepare a resume on March 30, 1982, a week after his interview, and I believe it was thereafter

sent to Raleigh. I further believe that there may have been representations on the resume which were not entirely candid as, for example, a representation that Mr. King was at that time a member of Warrenton Baptist Church, when, if fact, he merely attended the church.

On Wednesday, March 24, 1982, The Warren Record had a letter to the editor from Irvin Smith (a Warren County farmer and member of the County Advisory Council) that criticized all areas of the Warren County Extension program except the Crop Science Department (which was Mr. Russell King's area of responsibility). Mr. Irvin Smith represents agriculture on the advisory council and Mr. Russell King is the Associate Agricultural Extension Agent assigned to work with him. I have been in Warren County over thirty years, and this was the first time I had ever seen a letter to the editor critical of the Extension Program.

Prior to this letter to the editor's appearing, neither I nor any one else of whom I was aware knew that Mr. Smith had any complaints with the Extension program.

Since the letter was written, I would note that Mr. Smith has never once voiced a specific objection or concern over any phase of the Extension Program in which I am involved. However, his letter to the editor gave an entirely different impression and called up support, I felt, and I believe the reader would objectively conclude, for Mr. Russell King in his bid for the County Chairman position.

The text of the letter to the editor is as follows:

THE WARREN RECORD

LETTERS TO THE EDITOR

Wants to Stimulate Thought

To The Editor:

Warren County farmers, when was the last time you had any help from the Warren County Agricultural Extension Department? To paraphrase Mark Anthony: I come neither to praise the county extension department nor to criticize it. Instead, my intent is to stimulate thought and action toward some workable results.

If 10 full-time farmers were polled today, and if you omitted the crop science department, how many would say that they have received help from the extension service in the last several years? My opinion is that you would be hard-pressed to find more than two percent to answer in the affirmative.

Some advocates of the present system would reply that the Agricultural Extension Service exists for other reasons

and other people than just farmers. I have no personal problem accepting that dogma except for two little facts.

First, the farmers of Warren County produce over $25 million dollars worth of products each year; therefore, it seems reasonable to assume that the farmers should be entitled to the needed amount of extension help that other counties our size have.

Second, why out of a county agricultural salary budget of nearly $45,000, excluding state salaries, are Warren County farmers left without the quantity and quality help that is needed?

Are two 4H and two home economic agents needed in this county? In the past perhaps so but maybe not in the present. How much longer is our tax money going to pay for a dual system?

There are counties our size that have one agent in these departments. Is the bureaucracy or the farmers' needs the

crucial issue in the execution of our budget? Granted it would be nice to have everything, but somewhere down the road we must examine our program and demand an equitable return on our taxes. How can dual systems and unqualified agents be an equitable return? I personally would rather have less help than more help for the sake of status quo and higher taxes.

Mr. Farmer, do you realize that the decisions the county commissioners will make April 5 will affect us for the next several years? We, the farmers, have two alternatives concerning the vacancy of two positions in the extension service. One, the farmers can be apathetic to this situation and let Raleigh and the county commissioners, which, by the way, has only two farmers, decide the outcome for us. Two, the farmers can raise enough dust to the county commissioners that they will value and respond to the needs of the farmers in Warren County.

Mr. Farmer, now is the time to wake up and be counted. Do you want a chairperson who knows the needs of the farmers and is trained in agriculture, or one who will delegate authority from the office? Do you want a qualified livestock agent (livestock represents nearly $4 million dollars in revenue for Warren County) or one who simply balances the political spectrum? How can we be heard unless we speak out? A voice that is silent is a voice.

Remember, call your county commissioners and be at the courthouse on April 5. If you, the farmers, do not care enough about our extension service to voice your opinion, do not complain when a railroad job is put on us again.

Irvin D. Smith

On Thursday, March 25, 1982, Mr. L. C. Cooper (the Warren County Chairman at that time) came by to my office to discuss the article with me. Mr. Cooper was concerned that the article was a direct slap at me so far as the chairman position was concerned and that it had attacked the Extension Program so unfairly.

Mr. Cooper further indicated that he, Mr. Charles Hayes (Chairman of the Advisory Council), and Mr. Irvin Smith (the Author of the letter to the editor and a member of the Advisory Council) had travelled to and attended a meeting in Raleigh together quite recently and that Mr. Smith had not indicated that he had any of the feelings which he expressed in the letter to the editor.

Mr. Irvin Smith represents agriculture on the Advisory Council, and Mr. King is, and was, the Extension Agent who had contact with Mr. Smith since Mr. Cooper, Mr. Smith, and Mr. Hayes had

attended the meeting in Raleigh.

It was my feeling that someone on the staff of the Extension Service had made comments to Mr. Smith which induced him to write the letter to the editor.

Mr. Cooper was so concerned that he indicated that he was going to contact several people, including Mr. Charles Hayes and Mr. Jack Harris (Chairman of the Warren County Commissioners), and send a copy of the letter to Doctor Hugh Liner. Thereafter, Mr. Cooper called a staff meeting about the letter to the editor. During the staff meeting, Russell King's face was very red.

Mr. Cooper read the letter to the editor, expressed his concern about such a letter having been written, and pointed out the areas which were attacked and the one single area which was not attacked. He also listed the areas represented on the Advisory Council and the individuals on the staff working with these people:

Home Economics: Emily Ballinger; Mrs. Richard Holtzmann

4-H: Mr. Koonce; Mrs. Chris Holtzman

Community Resource Development: Miss Woods; Mr. John Hawkins

Agriculture: Mr. Russell King; Mr. Irvin Smith

Mr. Cooper further stated in the meeting that he had discussed the letter with Mr. Charles Hayes, Mr. Jack Harris, and that he had sent a copy of it to Doctor Liner.

Mr. Koonce was most upset over the letter and made several comments.

Miss Woods stated that she felt we had a good Home Economics staff, and she did not understand why Mr. Smith had attacked it.

Mr. King said he did not know why Irvin wrote the letter.

I observed that I felt the letter was an attack on me as an applicant for County

Extension Chairman.

On Monday, March 29, 1982, we had an Advisory Council meeting at which time the Extension Budget was discussed. Mr. Cooper asked Mr. Irvin Smith to comment about his letter to the editor. Mr. Charles Hayes commented that he was sorry that the matters in the letter could not have been taken up in council rather than sending it to a newspaper, although he recognized that a private citizen was free to do as he wished.

Mr. Smith's comment was he did not mean to hurt Russell (obviously, since the letter to the editor did not hurt Russell at all but praised his work and called on farmers to attend the Commissioners meeting, at which time the County Chairman would be selected to support an unnamed candidate whom almost every farmer knew to be Russell King), but Mr. Smith was concerned that we needed a livestock agent and that if he had discussed this in

Council, he would then not have been free to write what he wanted to, all of which is, of course, simply not the case.

Later on in the afternoon, Mr. Russell King buzzed me to tell me that Doctor Liner was on the telephone and wanted to talk with me. The purpose of the call was for Doctor Liner to arrange a time to meet with me and talk with me. I asked him if he had a copy of the letter to the editor. When he replied that he did, I expressed my concern that it was an attack on me. Doctor Liner said he had read the letter several times and that he did not feel it was an attack on me, but he was sorry it had been written because it did nothing to help Extension.

On Friday, April 2, 1982, Doctor Hugh Liner and Mr. Russell King came to my office. Doctor Liner closed the door and sat down and talked to the two of us, so, in Doctor Liner's words, "we would hear the same story."

Essentially, Doctor Liner said the following:

"I've just been by and talked with Mr. Harris."

"You know we have had a little change in administration and new people, etc. We are going to make a little change. We are going to recommend the two of you to the Board of Commissioners on Monday and let them decide."

"The salary will be $2,500 above your present salary. We are asking the commissioners to keep the same amount that they put in, so there will be no change, there which should be no problem.

"I'm coming down and going to the commissioners at 11:30 on Monday, then we will come over here to lunch and then that afternoon you will go individually to the board meeting (executive session) and be interviewed. Then they will make a motion and vote. One of you will be elected and one will not, and I'll come over here and

tell you. It would be easier if you were sitting there and heard the decision but if not, I'll come back and tell you. That is just one of the bad parts of my job."

"If you don't get it, don't think it is the end of the world, because it isn't. I applied for a job on campus just recently and didn't get it, but that is just the way things work."

"I just hope whichever one gets the job that we can work and put together a top Extension Program in Warren County, and you know it hasn't been what I would like for it to be and what it could be."

I again expressed my concern over the letter to the editor. Doctor Liner again turned it off lightly and made additional comments about what he felt the letter meant but asked that he not be repeated in that regard outside the room.

Doctor Liner then told us to have a pleasant weekend and not to go out and get people to come in to support us at the

commissioners meeting. (I would note here that I had been approached by several people in the county who knew I had applied for the position and who wanted to write letters in support of my application, but, consistent with the earlier instruction I had been given by Doctor Liner and these later instructions, I told the people not to write letters).

Doctor Liner further told us that it would be better not to discuss the selection of a new county chairman because of the Civil Rights lawsuit. As I recall, he indicated that an injunction had been filed to keep certain positions from being filled pending the termination of the litigation and that if the wrong people learned that the Warren County Chairmanship was going to be filled, an injunction might be secured and neither one of us would get the job.

On Monday, April 5, 1982, I worked all morning preparing lunch for the County

Commissioners, Advisory Council, and Extension Staff -- thirty people.

Doctor Liner came by and spoke to me -- left -- came back and spoke to me again, I suppose after going to the commissioners meeting.

Lunch was scheduled to be served at 12:30, but the commissioners were late and did not arrive until 12:50. When I went to eat after serving the plates and replenishing tea, etc., I missed Mr. Shearin (a county commissioner), and I asked where he was. Mr. Herbert Harris said that he had to go to another meeting.

After lunch, Mr. Cooper and Charles Hayes presented the Extension budget. The meeting adjourned.

Russell King was interviewed by the Commissioners first. Then Doctor Liner came for me to go to the Board meeting. Those present included:

Mr. W. J. Harris, chairman

Mr. Clyde Edwards

Mr. William T. Skinner, III

Mr. Glenwood Newsome, county manager

Doctor Hugh Liner, district extension chairman

Mr. Harris asked me several questions which they had typed out. Mr. Glenwood Newsome made some notes of my answers.

When the interview was over, Doctor Liner walked with me to the door and then returned to the room with the commissioners.

Later, Doctor Liner came to my office and told me Russell King had just been appointed County Chairman. I said very little, but I did ask if there were any special reason for Russell King's selection, to which Doctor Liner said no.

The following day, on April 6, 1982, Mr. Cooper and I had a conversation which, though seemingly unimportant at the time, is of significance. Mr. Cooper thanked me

for preparing lunch the previous day. I apologized because the broccoli was so done. I then asked why the commissioners had been so late coming. Mr. Cooper replied that Mr. Shearin had said they were deciding on the county chairman. I then observed that it had been my understanding that the chairman would be selected after we had been interviewed. Mr. Cooper responded that he was only telling me what Mr. Shearin had said. If the decision were actually made before the interviews, as Mr. Cooper indicated, then it was certainly contrary to what we had been told would be the procedure followed.

The record indicates that the decision concerning who would be county chairman was made in Raleigh, and that Doctor Liner come to the commissioners meeting April 5, 1982, to offer endorsement from Raleigh of Mr. King for the position, and that Doctor Liner guided and influenced the county commissioners

into approving Mr. King for the position.

The record also indicates that my fears concerning the letter to the editor of Mr. Irvin Smith were well founded since a group of young farmers appeared at the commissioners meeting to let their voices be heard. No one came in support of me because I had specifically instructed them not to come in accordance with, and respect of, Doctor Liner's instructions.

The local newspaper was (by Doctor Liner) provided with an article concerning Mr. King's selection as county chairman immediately following the commissioners meeting on the same day. A separate news article on the same day noted the attendance at the commissioners meeting of several young farmers, among other things. A copy of the newspaper articles are included with these papers.

In any event, whether Raleigh, Doctor Liner, the county commissioners, or others made the selection of the new county

chairman, I was treated unfairly and was discriminated against (1) as to the selection procedure; (2) on the basis of sex; and (3) on the basis of age.

I was the most qualified applicant for the position and more qualified than Mr. King. I did not get the job.

To my knowledge, in the entire history of the North Carolina Extension Service, there have only been six women ever to serve as county chairmen, and they currently serve in the counties of Tyrrell, Duplin, Alleghany, Rutherford, Stokes, and Washington. Of those six persons, four serve counties which are located in a district which has a woman as district chairman.

In the entire history of the Extension Service, there has never been a woman selected to serve as county chairman in the district in which Warren County is located, and the district over which Doctor Liner is chairman.

On April 30, 1982, I filed a grievance with the Grievance Coordinator. A copy of my Grievance is included in these papers.

By way of background information, my 33 plus years of service with the Extension Service has been characterized by hard work, accomplishment, and service to the counties in which I have lived and worked.

I have carried educational programs to all segments of the county.

I have worked extensively with adults in the Home Economics Educational program.

While it is not my current assignment to do organizational work with 4-H, I continue to work with the 4-H program in my areas of responsibility, in 4-H demonstrations, in county wide special programs, and with individuals on cumulative 4-H records.

We have an outstanding EFNEP program with four aides whom I supervise.

I have had years of training in program planning.

I have a basic overall knowledge of many areas of office management related to Extension.

I have farm background.

I have a basic interest in the Agricultural Extension program dating back to April, 1932, when I went to club meetings with my mother when the Guilford College Home Demonstration Club was organized.

I joined the 4-H Club when it was first organized in my school in 1938. I was eleven years old.

I was an active member attending all club meetings, carrying on projects, entering exhibits for competition, participating in dress revues. I was a state dress revue winner in 1944 and attended National 4-H Club Congress and participated in the National 4-H Dress Revue.

I have attended 4-H Club camp as a camper and as a counselor and as an agent. I have attended 4-H Club week in Raleigh as a club member and as an agent.

I am a member of, and past president of, the State 4-H Honor Club.

From the time I was eleven years old, I have known and appreciated first-hand, the enormous benefit that the Agricultural Extension Service has been to our society.

I grew up under conditions which could at best be described as modest. My mother was a person of good intelligence, but she had little formal schooling. She depended exclusively on the Extension Service for the training she received in preserving foods and other matters incident to running a farm household. The Extension Service is directly responsible for improving the quality of my life as a child and that of my family.

I saw work with the Extension Service as a way to share the benefits that the

Extension Program had brought to me and my family with others.

It is thus understandable that I always wanted to be an agent, and when I pursued my education to the university level, I embarked on a course of training which would enable me to be an agent.

Attempting to compare my qualifications for the position of county chairman with those of Mr. Russell King is not a pleasant task, nor an easy task, since I do not know everything there is to know about Mr. King. I know my own qualifications, and I know the representations Mr. King has made of his qualifications.

A comparison of our qualifications based on the knowledge I do have will be helpful to this committee in determining the merit of my complaint. After reviewing the attached, one is compelled to reach the conclusion that:

(1) If the rules of the application procedure had been followed,

(2) If the rules for the application procedure had been equally applied and enforced by the Extension Service and county commissioners,

(3) If the prescribed application procedure had been applied equally to both candidates,

(4) If the political element had been removed (as dictated by Doctor Liner),

(5) If the letter to the editor had not been written, and if the Extension Service (Doctor Liner) had not refused to act upon the letter and permitted me to do something to offset its impact upon the selection process by permitting my supporters to let their voices be heard,

(6) If I had been male, and

(7) If I had been under age 40,

then I would have been given the position based on the simple fact that I was the

more qualified applicant.

It should be noted that there is nothing about the duties of the county chairmanship which might mandate or suggest that a man is by reason of sex more capable of filling the job than a woman.

It should also be noted that there is nothing about the duties of the county chairmanship which might mandate or suggest that a person under 40 is by reason of age more capable of filling the job than someone of my age. Indeed, age and maturity should be assets for the job.

County chairmen have traditionally continued to assume the same duties they had as agents, or the same areas of responsibility, and to merely assume administrative duties. Knowledge which can only be gained by years of service with the Extension Service is the best possible way to prepare for the administrative duties which must be

assumed by a county chairman. I have over 33 years of such experience, as contrasted with Mr. King's two and one-half years or so with the Service.

That which follows then is an attempt on my part to compare each element of my qualifications with those of Mr. Russell King, based on the representations he made.

PERSONAL INFORMATION

Emily R. Ballinger

Age: 55

Sex: Female

Race: caucasion

Marital Status: Single

PERSONAL INFORMATION

Russell King

Age: 34

Sex: Male

Race: caucasion

Marital Status: Married; one child

EMILY RUTH BALLINGER

Education

Bachelor of Science - Home Economics (teacher training) May, 1948, Woman's College of the University of North Carolina, Greensboro, North Carolina (now UNC-G)

Academic Training Prior to Starting Master's Degree Program - Courses taken at North Carolina State University and the University of North Carolina at Greensboro

1954

Ag. Ext. 301 Extension Teaching Methods

Hort. Ext. 342 Landscape Gardening

Ag. Ext. 302 Information Media

1961

H. Ec. 586

Furnishings for Contemporary Living

Academic Training for Master's Degree - Courses taken at North Carolina State

University

ED 503 Extension Program Development

3 credit hours Grade A

ED 403 Family Economics

3 credit hours Grade A

ED 600 Theory of Organization and Administration of Adult Education I

3 credit hours Grade A

ED 601 Theory of Organization and Administration of Adult Education II

3 credit hours Grade A

ED 596 Top Problems in Adult Education

3 credit hours Grade A

Soc. 590 Applied Research

3 credit hours Grade A

Soc. 502 Society, Culture and Personality

3 credit hours Grade A

Soc. 501 Leadership

3 credit hours Grade A

ED 699 Research

3 credit hours Grade S

ED 699 Research

3 credit hours Grade S

ED 596 Top Problems in Adult Education

3 credit hours Grade S

Master of Education

May, 1971, North Carolina State University, Raleigh, North Carolina

EMILY RUTH BALLINGER

Education

Academic Training Beyond Master's Degree - Courses taken at North Carolina State University

ED 559 Learning Concepts and Theories Applied to Adult and Community College Education

Credit hours 3 Grade A

ED 538 Instructional Strategies in Adult and Community College Education

Credit hours 3 Grade CS

RUSSELL KING

Education

Bachelor of Science - Agricultural Education, 1973, North Carolina State University (Based on credits as a part-time student at the University of New Hampshire and North Carolina State University)

Master of Science - Supervision, 1975, Longwood College, Farmville, Virginia

Note: This is all the information I have available to me. I know nothing of the courses taken by Mr. King or his marks.

EMILY RUTH BALLINGER

In-Service Training

1982

4-H Clothing Project Material	8 hours
Pounds Away Follow-up Seminar	8 hours

1981

Employment of Temporary EFNEP 4-H aides 8 hours

Impact Assessment 8 hours

Swap Shop on Home Economics Programs 8 hours

Revised EFNEP Reporting System 8 hours

EFNEP - 4-H Progression into 4-H Clubs 8 hours

Multi-District Meeting - Impact Assessment 20 hours

Supervision and Management of EFNEP 16 hours

Coordination of Extension Programs 8 hours

Foods and Nutrition Update in 4-H 8 hours

Clothing Update 8 hours

Family Resource Management Update 8 hours

Swap Shop in Family Resource Management Programs 8 hours

State Conference General Discussion of Extension Programs 8 hours

1980

Estate Planning 8 hours

Extension Program Planning 8 hours

North Carolina State University Adult and Community College Alumni Renewal Seminar 8 hours

Swap Shop for Home Economic Programs 8 hours

1978

Farm and Home Accident Survey 8 hours

Annual Extension Conference - General Extension Work 24 hours

Clothing Potpourri 40 hours

Structural Changes of Extension Homemaker Organization 8 hours

Meet Program Leaders - Extension Programs 4 hours

1977

Aesthetics in Dress 40 hours

State Extension Conference - General Extension Information 40 hours

EFNEP Special Survey 8 hours

Management and Financial Counseling 8 hours

Food Conservation 8 hours

Consumer Math 8 hours

District EFNEP Analysis Meeting	8 hours
Rural Safety Council Meeting	8 hours
1976	
Data for Planning	8 hours
Selecting and Fitting Women's Pants Workshop	36 hours
Leadership Development	4 hours
The Later Years	8 hours
EFNEP Aide and Home Economics Extension Agent Training	8 hours
North Carolina State University Open House	8 hours
Furniture Refinishing	8 hours
1975	
State Extension Conference	24 hours
EFNEP Training	8 hours
4-H Clothing Camp	24 hours
Food Preservation	8 hours
4-H Television Series Mulligan Stew	8 hours
Health Rural Development Panel	8 hours
Nickels for Know How	8 hours
1974	

EFNEP Training	8 hours
Foods and Nutrition Training	8 hours
Home Management Training	8 hours
Clothing Training - Fitting	8 hours
Leadership Training workshop	24 hours
State Conference - General Extension Information	32 hours

1973

Home Management Training	8 hours
Economics Training	8 hours
Consumer in the Market Place	8 hours
Estate Planning	4 hours

1972

State conference - General Extension Information	32 hours
Foods Program Conference	8 hours
Reporting	8 hours
Trunk Refinishing	8 hours
Mulligan Stew - 4-H television series	8 hours
Tailoring	24 hours

1971

Program Planning	4 hours

State Conference - General Extension Information 24 hours

EFNEP Training 8 hours

Home Management Training 8 hours

4-H Clothing Program 8 hours

Advanced Clothing Construction Techniques 16 hours

Five-Year Plan in Family Living 8 hours

1970

Consumerama 70 8 hours

EFNEP Training 32 hours

Governors Conference on Children and Youth 8 hours

4-H Management and Electric Projects 8 hours

1969

Clothing Workshop 8 hours

Expanded Foods and Nutrition Program 32 hours

State Conference - General Extension Programs 16 hours

Consumer Competence - Management 8 hours

Flower Arranging 4 hours

EFNEP Nutrition Training	8 hours
Program of Work	8 hours
Consumer Competence - Clothing	8 hours

1968

4-H Home Management Materials and Programs	8 hours
Extension Programs - Training by District Agents	8 hours
4-H Clothing Materials and Programs	8 hours
State Extension Conference - General Extension Programs	31 hours
Frozen Foods	8 hours

1967

Getting the Most Out of Your Sewing Machine and Clothing Construction Techniques	16 hours
Mattress Construction Workshop	16 hours
Job Descriptions	8 hours
Refinishing Picture Frame	8 hours
Home Management Training	8 hours
State Conference - General Extension Programs	24 hours

4-H Record Keeping	8 hours
Program Planning	32 hours
Selection, Sewing and Care of New Fabrics	8 hours

1966

Nickels for Know How	4 hours
Drapery Construction	8 hours
State Conference - General Extension Programs	24 hours
Making Lamps	4 hours
Sources of Color Scheme	8 hours
Conference on Home Demonstration Organization	8 hours
Home Management	8 hours
4-H Club Program	24 hours

1965

Home Management	16 hours
Program Planning	16 hours
Window Treatments	16 hours
Small Electrical Appliance	8 hours
State Conference - General Extension Programs	24 hours
Wood Finishes	24 hours

4-H Workshop - Community Club Concept	8 hours
Extension Secretaries Training	8 hours
Newswriting	8 hours

1964

Refinishing Picture Frames	8 hours
Tailoring Workshop	40 hours
Recreation Training Workshop	4 hours
District Conference - General Extension Program	24 hours
Vegetable Judging (4-H) Program	24 hours
Home Management	8 hours
Clothing Workshop	8 hours
Newsletter Editing	8 hours

1963

Laundry Training School	24 hours
Music Workshop	8 hours
Public Relations Training School	8 hours
Home Furnishings - Furniture Market High Point	24 hours
Flower Arranging	4 hours
Family Living Workshop	40 hours

1962

Nutrition Workshop on Agricultural Yearbook	8 hours
Community Development Program Workshop	8 hours
Banking and Business Every Woman Should Know	8 hours
Tailoring	8 hours
4-H Clothing Program	4 hours
How to Organize and Conduct Series of Classes for Young Homemakers	8 hours
Care of Home Grounds and Use of Insecticides	8 hours
State Conference	32 hours
Craft Workshop - Italian Hemstitching	24 hours
Equipment for the Home	8 hours
Reaching New Audiences	8 hours

1961

Consumer Buying of Meats	8 hours
4-H Foods Program and Vegetable Use and Marketing	8 hours
Judging Quality in Crafts	8 hours
Music Workshop	8 hours

Program Planning	8 hours
Selection of Paint, Wall Finishes, and Wallpaper	8 hours
Pine Needle Craft	8 hours
Rug Making	8 hours
Research Tour of North Carolina State University	8 hours
Research Tour of the University of North Carolina at Greensboro	8 hours
Refinishing Furniture	8 hours
Kitchen Planning Workshop	8 hours
Use of New Patterns and Fitting	20 hours
Food Conservation Training School Quality Canning, Causes of Failure and Judging Canned Goods	16 hours
Community Development Programs	8 hours
Landscaping	8 hours
Craft Workshop -Fabric Stenciling	24 hours
Program of Work Conference	8 hours
Smocking Workshop	8 hours
Seafood Cookery	8 hours

1960

Social Security Training Meeting	8 hours

Hatmaking Workshop	16 hours
Savings and Investments and New Inheritance Tax Laws	8 hours
4-H Clothing Program	4 hours
4-H Foods and Nutrition Program	4 hours
Slip Cover Workshop	16 hours
Meat Cutting and Meat Preparation	8 hours
Program Planning	24 hours
Living with Others	8 hours
New Furniture from Old	8 hours
Housing	8 hours
Freezing Foods	8 hours

1959

Chair Caning	8 hours
Color Coordination	8 hours
Selection of Sweaters, Suits, and Coats	8 hours
Practical Hints for the Professional Look	4 hours
Tailoring	4 hours
Meals in Minutes	4 hours
4-H Foods Program	4 hours
Food Conservation	8 hours

4-H Health Programs	4 hours
Family Life Program with 4-Hers	4 hours
Furniture Selection	8 hours
Electrical Equipment for the Home	8 hours
Frozen Foods	8 hours
Preserve Making	4 hours
State Conference - General Extension Programs	32 hours
Window Hardware	4 hours
Care of Floors	4 hours
Landscaping	4 hours
Program Planning	16 hours
Re-upholstering Furniture	16 hours
Flower Arranging	4 hours
Communication Workshop	32 hours
Literacy Program	8 hours

1958

New Fabrics and Finishes	8 hours
4-H Dairy Foods Project	4 hours
4-H Health Program	4 hours
Music Training	8 hours
The Family Room	4 hours
4-H Room Improvement	4 hours

Familiar Foods in Fancy Fashion	4 hours
Landscaping	8 hours
United Nations and Citizenship Program	8 hours
Radio	8 hours
Job Descriptions	8 hours
Outlook	8 hours

1957

Patterns and 4-H Clothing Program	8 hours
Making the Most of Your Sewing Machine and Construction Techniques (Singer)	16 hours
Mind your Money Matters	4 hours
Analysis of 4-H Home Management Program	4 hours
4-H Foods Programs in Vegetable Production, Conservation and Marketing	4 hours
4-H Food Preparation Program	4 hours
Techniques of a Home Visit	4 hours
Fabrics and Color	4 hours
Food Conservation - Making Pickles	8 hours
The Farm Family Health Program	8 hours

Program Planning and Place of Work	20 hours
Remodeling	8 hours
1956	
Plan Your Home	4 hours
The Kitchen - The Heart of the Home	4 hours
Home Furnishings - Fabric	8 hours
Dairy Foods Demonstration	4 hours
4-H Clothing Program	4 hours
Making Hooked Rugs	4 hours
Corsage Making	4 hours
Outlook	8 hours
1955	
Television Training	8 hours
Family Life Training for 4-H Programs	4 hours
Food Conservation	8 hours
Home Furnishings	8 hours
Program Planning	24 hours
Frozen Foods	8 hours
1954	
Floor Maintenance	8 hours

Crafts: Tooled and Hammered Copper	8 hours
Radio	8 hours
Frozen Foods	8 hours
4-H Room Improvement	8 hours
Citizenship Training	8 hours
Making Lampshades	4 hours
Farm and Home Planning Workshop	8 hours
Landscaping	8 hours
Yeast Breads	4 hours
Curb Markets	4 hours
State Conference - General Extension Programs	24 hours
Housing Workshop	16 hours
Program Planning	16 hours

1953

Pictures in the Home	8 hours
Lighting in the Home	4 hours
Program Planning	8 hours
Children's Clothes	4 hours

1952

Program Planning	20 hours
Citizenship	8 hours
It's Smart to be Well Fed	8 hours

Teas and Receptions	4 hours
Floor Finishes	4 hours
Cornmeal Enrichment	4 hours
TOTAL HOURS OF IN-SERVICE TRAINING	2,912 hours

RUSSELL KING

In-Service Training

1982

Marketing Alternatives	32 hours
Plant Diseases	8 hours
1982 Crop Science Tobacco Technology workshop	511

1981

Tobacco Agent Training	32 hours
Integrated Pest Management	8 hours
4-H Programs	8 hours

1980

Herbicide Application	8 hours
Hedging Techniques	24 hours
Soybeans	8 hours
Tobacco Training	8 hours
Seed Training	16 hours

1979

Production Economics and Resource Development	16 hours
Field Crops	8 hours
Soybean Training	8 hours
Newswriting	8 hours
Flue-cured Tobacco	8 hours
Soils	8 hours
TOTAL HOURS OF IN-SERVICE TRAINING	208 hours

EMILY RUTH BALLINGER

Employment History

Home Economics Extension Agent, Warren County, Warrenton, North Carolina, September 1, 1951-present.

Areas of responsibility: Clothing; Family Resource Management; Foods and Nutrition and Liaison Agent for Extension Homemaker Program.

Supervise four EFNEP aides and have been responsible for this program since it was started in Warren County in 1969.

Throughout the years in Warren County, I have worked closely with the Extension Homemaker Program.

I have helped to organize Community Development Clubs in the county and worked very closely with that program for a few years.

Until about four years ago, I was assigned to spend one-fourth of my time with the 4-H program. Since then, I have continued to work with the youth program in my areas of responsibility.

Assistant Home Demonstration Agent, Forsyth County, Winston-Salem, North Carolina, September 1, 1948 - August 31, 1951.

Areas of responsibility: Worked with 4-H club and Home Demonstration Club Program.

Assisted in starting one of the first long range planning programs in the State -- "Forsyth Faces the Future" 1950-51.

Dietician at Roanoke Island Camp,

Inc., Manteo, North Carolina, June 1 - August 15, 1948.

Home Demonstration Trainee Agent, Caswell County, Yanceyville, North Carolina, June 1 - August 15, 1947.

Typesetter, Ruzicka Bookbinders, Greensboro, North Carolina May, 1943 - September 1944, summer and Christmas holiday work. Three years.

I completely financed my college education through four years at UNC-G.

RUSSELL KING

Employment History

Associate Agriculture Extension Agent, Warren County, North Carolina. September 1, 1979-present.

Areas of responsibility: Tobacco; Small Grain; Horticulture; Home Grounds Beautification; and Farm Opportunities Program.

Supervise one agriculture technician.

Agriculture Education Teacher,

Buckingham and Mecklenburg Counties, Virginia. 1973 - 1979.

United States Marine Corps, 1969 - 1971.

EMILY RUTH BALLINGER

Professional Activities

National Association of Extension Home Economists, member 1948 to present; Distinguished Service Committee, 1978; Attended 15 national meetings.

North Carolina Association of Extension Home Economists, member 1948 to present; youth chairman, four years; member, executive board, five years; treasurer, 1970; president elect, 1974; president, 1975; counselor, 1976; attended 32 State meetings.

District Association of Extension Home Economists, member, 1948 to present; youth chairman, eight years; Professional Improvement chairman, two years; vice chairman, 1957; chairman 1958; treasurer,

1969.

North Carolina Federation of Cooperative Extension Associations, member; executive board, 1975; treasurer, 1980.

American Home Economics Association, member, 1948 to present.

North Carolina Home Economics Association, member, 1948 to present; Program of Work Committee, 1976; membership committee, 1978 to 1979.

Epsilon Sigma Phi, member 1958 to present; analyst, 1966.

Phi Kappa Phi, member.

North Carolina Adult Education Association, member.

North Carolina State Fair, helped plan, assemble and put up six State Fair booths in 4-H, Community Development, and Home Economics departments.

Warren County Agricultural Fair Committee, served as head of Home Economics Department of Fair for 31 years.

County Agricultural Workers Council, vice-chairman, 1958; program chairman, 1958; nominating committee, one year; recreation committee, one year.

Forsyth County Home Economics Club, organizational committee.

Capitol Area Development Association, assisting in organizing four communities; presented programs.

Served as judge for numerous fairs in surrounding counties.

Served as judge for "Village of Yesteryear," North Carolina State Fair, 1981.

C.R.O.P., assisted in organizing county program, four years.

State 4-H Honor Club, president, 1960; member, member selection committee, 12 years; chairman of Northeastern District Honor Club Selection Committee, 1959; secretary, 1950; member of tapping committee, five years; member of nominating committee, two years; chairman

of committee to plan revision of selection of members; member of arrangements committee, two years.

Dairy Princess Contest, county chairman, two years; chaperon for district contest winner, one year.

Farm Home Week, attended 14 years.

Assisted Vocational Agricultural and Home Economics teachers by teaching recreation and food conservation classes.

Demonstrations given to civic and garden clubs in yard beautification, interior decorating, crafts, recreation, foods and nutrition, and clothing.

4-H Club Work:

Assisted 17 Warren County girls to further their educations by assisting them in applying for and securing Home Demonstration Club loans to attend college.

Assisted seven boys and girls who were recipients of educational scholarships in making their applications.

Six 4-H Alumni Recognition Nominees whom I have assisted have been State winners.

Twenty-five 4-Hers (boys and girls) with whom I have worked have been State project winners and have won trips to National 4-H Club Congress in Chicago.

Three 4-Hers who I have assisted have been State Project winners in projects that did not carry a trip.

Two 4-Hers who I have assisted have won trips to Danforth Camp.

Three 4-Hers (boys and girls) with whom I have worked have been national winners and have received scholarships.

I have coached seven State-winning 4-H demonstrations.

I have coached at least 25 district-winning demonstrations.

Served as member of the State 4-H Club Week Dress Revue Committee, three years.

Trained 4-H Club members and assisted

them in preparing and manning floats for parades.

IFYE Program:

Assisted in entertaining delegates from Japan and Finland.

Assisted assistant agent in presenting at least 35 programs on her trip to Finland.

Educational Travel:

I have promoted, organized, and conducted numerous educational tours for Warren County Extension Homemaker's Club Women.

Eastern District Handicraft Workshop, Co-chairman, 1959.

State Conference on Health and Safety.

RUSSELL KING

Professional Activities

Agricultural Extension Agent's Association, member.

North Carolina Young Farmer's

Steering Committee, member.

Warren County Young Farmer's Steering Committee, member.

Warren County Integrated Pest Management Association, organizer and advisor.

Warren County Small Vegetable Grower's Association, advisor.

Warren County Agricultural Fair Committee, member.

Buckingham County Young Farmer's Club, advisor, 1974-1977.

Mecklenburg County Young Farmer's Club, advisor, 1977-1979.

Piedmont Federation Advisor of Vocational Agricultural Teachers, 1978.

Buckingham County 4-H Small Engine coach, 1975-1977.

Buckingham County Food Cannery Supervisor, 1973-1977.

Buckingham County Adult Vocational Training Supervisor, 1973-1977.

Virginia Educational Association

District Delegate, 1973-1974.

EMILY R. BALLINGER

Religious and Civic Activities

First Lutheran Church, member.

University of North Carolina at Greensboro Alumni Association, member 1948 to present, Warren County chairman, one year.

University of North Carolina at Greensboro - Home Economics Alumni Association, member.

Farm Bureau, member 1951 to present; advisor for membership committee, four years.

Warren County Tuberculosis and Health Association, secretary, seven years.

Warren County Red Cross Board of Directors, secretary for five years; helped organize county in securing funds for five years.

American Cancer Society, Warren County Chapter, helped organize county in

fundraising for eight years.

Warren County Heart Fund, assisted with organizing county in securing funds for Heart Fund for two years.

Polio Fund of Warren County, assisted in organizing county in raising funds for five years.

Assisted local hospital in recruiting women in Warren County to take a practical nursing program. Thirty-two women completed the course which resulted in increasing the earning power of the women and gave the county badly needed trained practical nurses.

RUSSELL KING

Religious and Civic Activities

North Carolina State University Alumni Association, chairman, Warren County.

Warren County Baptist Church, member.

Bethel Methodist Church, assistant

organist, 1973-1977.

Jaycees, member, 1974-1976.

Park View High School Booster Club, member.

Buckingham Junior High School, assistant baseball coach, 1973-1975.

Buckingham Baseball League, umpire, 1973-1976.

EMILY RUTH BALLINGER

Honors

National Home Demonstration Agents Association Distinguished Service recognition, 1960.

Extension News, "We Salute"

Who's Who in America, 1976.

Invited to attend President's White House Conference in Knoxville, Tennessee, 1975.

4-H Honor Club.

4-H State Dress Revue winner and delegate to National 4-H Club Congress.

Recipient of Curved Bar in Girl Scout Program, formerly, Eagle Scout award.

RUSSELL KING

Honors

Outstanding Young Teacher of Mecklenburg County, Virginia, 1978.

Distinguished Service Award Nominee, Warren County, 1980.

THE WARREN RECORD
WEDNESDAY, APRIL 7, 1982

To Succeed L. C. Cooper

RUSSELL KING IS SELECTED WARREN EXTENSION CHAIRMAN

By Tom Byrd

Russell C. King has been named to succeed L. C. Cooper as Warren County Extension Chairman.

King's promotion was announced by Jack Harris, chairman of the Warren County Board of Commissioners, and Dr. Chester D. Black, director of the North Carolina Agricultural Extension Service, following approval by the board.

The promotion is effective May 1. Cooper plans to retire April 30 after a 30-year extension career, the last three of which has been as Warren Extension Chairman.

In recommending King to the board, District Extension Chairman Hugh Liner called him "innovative and hardworking."

"He has been accepted well by the

people of Warren County. He has shown a real hunger to stay up-to-date and to develop sound educational programs for farmers," Dr. Liner added.

King, 34, is an Associate Agricultural Agent on the Warren staff, a position he has held since September 1979. Prior to that he taught agriculture in Buckingham and Mecklenburg counties, Virginia, for six years and served for two years in the U.S. Marine Corps.

King has two college degrees: a B.S. in agricultural education from North Carolina State University and a M.S. in supervision and administration from Longwood College, Va. He has also received training in numerous agriculturally-related topics since joining the Extension Service.

His major responsibilities in Warren County have been in the crop production and marketing areas. He has helped to form a young farmer's organization and an

integrated pest management association. He serves as an advisor to the Small Vegetable Growers Association and is a member of the Agricultural Fair Committee.

King will continue his crop work as well as serve as chairman of the county extension staff, which does work in home economics, 4-H and community and rural development as well as agriculture.

Liner told the commissioners that the staff has a vacancy created by Cooper's retirement. "We feel that this vacancy should be filled by a good livestock agent, and this is the type of person for which we are now recruiting," Liner added.

THE WARREN RECORD
April 7, 1982

Farmers' Wishes Apparently Heard

A group of Warren County farmers who appeared before the commissioners Monday morning requesting that the next county agent employed for Warren County be one

trained in animal husbandry, apparently will get their requests granted.

Dr. Hugh Liner, District Extension Director, appeared before the commissioners in regard to a replacement for L.C. Cooper, who has resigned effective on April 30. He said that Cooper's replacement as county agent would be a person already trained in animal husbandry, and if one is not available in May that the appointment would be withheld until such agent could be found.

Farmers appearing before the board, pointing out the value of the farmer in feeding the world, and their contribution to Warren County and the need for a person trained in animal husbandry were Irvin Smith, Bill Bender, Jr., James Harris and William Brauer.

Document 2 Produced by Plaintiff
in Response to Defendants' Request
for
Production of Documents

Filed District Court April 30, 1985
September 13, 1982

Dr. Chester Black

Assoc. Dean and Director

N. C. Ag. Extension Service

104 Ricks Hall

N. C. S. U. CAMPUS

Dear Dr. Black:

The grievance hearing for Miss Emily Ballinger was conducted in Warrenton on September 9, 1982. The following is the conclusion and the recommendation of the hearing panel.

1) The evidence supported the allegation of discrimination based on sex and age.

2) Sex and age was a major factor in the decision as to who was hired as County Extension Chairman in Warren County. It was the opinion of the panel that the discrimination was not intentional on the

part of the Extension Administration. The panel felt that the Extension Administration was caught in the middle.

3) The panel recommended that the Administration sit down with Miss Ballinger and try to work out some compensation for Miss Ballinger, either in the form of monetary compensation and/or advancement in assignment or title that would be agreeable with Miss Ballinger.

The panel also recommended that in future cases where one of the candidates had superior qualifications over the other candidates, only one candidate be recommended to the County Board of Commissioners.

I have the taped recording of the proceedings if you want to hear them.

Sincerely,

s/ J. D. Dodson

Document 3, Produced by Plaintiff
in Response to Defendants' Request
for
Production of Documents

Filed District Court April 30, 1985

September 22, 1982
Bernice Harris
Martha Edmondson
Cynthia Watlington
Harold Lloyd

Dear Friends:

We appreciate your recent service as a member of the grievance panel convened by J. D. Dodson to hear the grievance of Emily Ballinger. This assignment was important to Miss Ballinger and to the Extension Service.

This is an extremely important hearing and the first that alleges discrimination by the Extension Service on the basis of sex and age. Your conclusions as forwarded to me by Mr. Dodson are broad in nature and lack the definitive specifics which the Extension Service needs in order to address this case. Therefore, I am asking Mr. Dodson

to reconvene the panel at your earliest convenience. All tapes and records from the testimony will be made available for your use. You are requested to review the testimony and determine if more definitive specifics of discrimination by the Extension Service can be identified. Bear in mind that our grievance procedure can only hold accountable the actions of our Extension Service and not the actions of other government bodies.

I want to thank you in advance for your assistance in this matter. We must strive to achieve fairness for all of our employees, and I appreciate very much your efforts in this regard. You perform a very valuable service to our organization.

Sincerely,

s/Chester D. Black
Associate Dean and Director

Document 4 Produced by Plaintiff
in Respones to Defendants' Request
for
Production of Documents

Filed District Court April 30, 1985

October 19, 1982

Dr. Chester Black

Associate Dean and Director

N. C. Agricultural Extension Service

104 Ricks Hall

N. C. S. U. CAMPUS

Dear Dr. Black:

The grievance hearing panel for the Emily Ballinger grievance reconvened in Louisburg, N. C. on October 18, 1982, at 10:00 a.m. All four members were present.

The following is a list of specific items that concerned the panel.

1. One of the basic reasons for the complaint was that two people were recommended rather than one. The panel recommends that in the future only the most qualified person be recommended to the commission.

2. The panel felt that the Extension Administration either knew or had a strong feeling as to who would be selected if both Emily and Russell were recommended to the commissioners. They felt that the recommendation of Emily was most likely an attempt by the Administration to prevent Emily from filing a grievance or at least to put the blame on the County Commissioners if there was a grievance filed. By recommending both people, the Administration avoided making a choice between the two individuals.

3. The fact that Russell King altered his resume, there was no evidence that Miss Ballinger was given an opportunity to update her resume could be interpreted to mean that the Administration had a preference for Mr. King.

4. The panel felt that the Warren County people thought that the Chairman had to be a man in order for them to have

a livestock agent. There was no evidence brought out that indicated that the Administration did anything to point out that this was not necessarily the case.

5. The Extension Administration should have recognized the fact that the meeting in Louisburg with a group of farmers would have been viewed as a pressure group. The panel felt that it may have been better judgement on the Administration's part to have not met with that group during the period of time that a Chairman was being selected.

6. Dr. Liner testified that he carried two news articles with him to Warren County on the date that the County Commissioners were meeting. One was to be released if Russell King was named County Chairman, and the other one if Miss Emily Ballinger was named County Chairman. However, the one pertaining to Miss Ballinger could not be produced. This left some doubt in the minds of the panel.

7. There was testimony to the fact that the Chairman of the County Commissioners had led Miss Ballinger to believe that he thought she would be the next County Extension Chairman by comments that he made to Miss Ballinger at a meeting in Raleigh that he attended. The Chairman of the County Commission also testified that he was surprised when Extension recommended two applicants for the position. This testimony plus the fact that George Koonce, who the panel felt met the minimum qualifications, was not recommended, led the panel to wonder if the Administration knew who would be selected and recommended Miss Ballinger to ward off a grievance by her.

8. The Administration should give some thought as to things that could be done to dispel the conception that a lot of county lay people seem to have that the duties of a County Chairman are such that a man needs to be the County Chairman.

9. The panel was concerned about the apparent fact that the Extension Administration had not prepared their case as well as they could have. This put them in a position of having to make a decision basically on facts presented by the grievant.

10. The panel wishes to express their appreciation for the fact that they are a part of an organization that provides its employees an opportunity to air their grievances without fear of reprisal or censorship.

If you have questions about these points, please let me know.

Sincerely,

/ J. D. Dodson, Extension
Management Information Specialist

Document 14 Produced by Plaintiff
in Respones to Defendants' Request
for
Production of Documents

Russell Kings' first Resume
Filed District Court April 30, 1985

Russell C. King

101 South Main Street

Warrenton, North Carolina 27589

Education

1975 - M. S. in Supervision and Administration, Longwood College, Farmville, Virginia

1973 - B. S. in Agricultural Education, North Carolina State University, Raleigh, North Carolina

1970 - Part-time student, University of New Hampshire, Durham, New Hampshire

In-Service Training

1979

Production Economics and Resource Development.....16 hours

Field Crops..... 8 hours

Soybean Training..... 8 hours

Newswriting..... 8 hours

Flue-Cured Tobacco..... 8 hours

Soils..... 8 hours

1980

Herbicide Application..... 8 hours

Hedging Techniques.....24 hours

Soybeans..... 8 hours

Tobacco Training..... 8 hours

Seed Training.....16 hours

1981

Tobacco Agent Training.....32 hours

Integrated Pest Management... 8 hours

4-H programs..... 8 hours

1982

Marketing Alternatives.....32 hours

Plant Diseases..... 8 hours

1982

Crop Science 511..... A

Work Experience

September, 1979 - present

Associate Agricultural Extension Agent, North Carolina Agricultural Extension Service, Warren County.

1973 - 1979 Agricultural

Education Teacher in Buckingham County, Virginia and Mecklenburg County, Virginia. Total teaching experience - six years and eight months.

1969 - 1971 Military duty in the United States Marine Corps, Durham, New Hampshire, two years.

Professional and Civic Activities

Agricultural Extension Agent's Association, member.

N. C. Young Farmer's Steering Committee, member.

N. C. State University Alumni Association, chairman, Warren County.

Warren County Young Farmer's Organization, advisor.

Warren Baptist Church, member.

Warren County Agricultural Fair Committee, member.

Warren County Small Vegetable Grower's Association, advisor.

Personal Information

Birth Date: January 12, 1948

Marital Status: Married with one child

Document 15 Produced by Plaintiff
in Response to Defendants' Second Request
for
Production of Documents

Russell King's Second Resume
Filed District Court April 30, 1985

March, 1982

Resume

Russell C. King

101 South Main Street

Warrenton, North Carolina 27589

Personal Information

Birth Date: January 12, 1948

Age: 34

Marital Status: Married with one child

Wife's name: Connie H. King

Son's name: Brandon R. King

Education

1975 - M. S. in Supervision and Administration, Longwood College, Farmville, Virginia.

1973 - B. S. in Agricultural

Education, North Carolina State University, Raleigh, North Carolina.

1970 - Part-time student, University of New Hampshire, Durham, New Hampshire.

In-Service Training

1969 - Administrative Training in Office Management, U. S. Marine Corps, Parris Island, South Carolina.

1979

Production Economics and Resource Development.....16 hours

Field Crops..... 8 hours

Soybean Training..... 8 hours

Newswriting..... 8 hours

Flue-Cured Tobacco..... 8 hours

Soils..... 8 hours

1980

Herbicide Application..... 8 hours

Hedging Techniques.....24 hours

Soybeans..... 8 hours

Tobacco Training..... 8 hours

Seed Training.....16 hours

1981

Tobacco Agent Training.....32 hours

Integrated Pest Management..... 8 hours

4-H Programs..... 8 hours

1982

Marketing Alternatives.....32 hours

Plant Diseases..... 8 hours

1982

Crop Science Tobacco Technology 511 A

Work Experience

September, 1979 - present

Associate Agricultural Extension Agent, North Carolina Agricultural Extension Service, Warren County.

1973 - 1979 Agricultural Education Teacher in Buckingham County, Virginia and Mecklenburg County, Virginia. Total teaching experience, six years and eight months.

1969 - 1971 Military duty in the United States Marine Corps, Durham, New Hampshire, two years. Administrative office work.

Professional Activities and

Accomplishments

Agricultural Extension Agent's Association, member.

N. C. Young Farmer's Steering Committee, member.

Warren County Young Farmer's Organization, organizer and advisor.

Warren County Integrated Pest Management Association, organizer and advisor.

Warren County Small Vegetable Grower's Association, advisor.

Warren County Agricultural Fair Committee, member.

Distinguished Service Award Nominee, Warren County, 1980.

Mecklenburg County Young Farmer Club Advisor, 1977 - 1972.

Piedmont Federation Advisor of Virginia Vocational Agriculture Teachers, 1978.

Buckingham County 4-H Small Engines Coach, 1975 - 1977.

Buckingham County Young Farmer Club Advisor, 1974 - 1977.

Outstanding Young Teacher of Mecklenburg County, Virginia, 1976.

Buckingham County Food Cannery Supervisor, 1973 - 1977.

Buckingham County Adult Vocational Training Supervisor, 1973 - 1977.

Virginia Education Association District Delegate, 1973 - 1974.

Civic Activities and Accomplishments

N. C. State University Alumni Association, chairman, Warren County.

Warrenton Baptist Church, member.

Assistant Organist, Bethel Methodist Church, 1973 - 1977.

Jaycee Member, 1974 - 1976.

Park View High School Booster Club, member.

Assistant Baseball Coach, Buckingham Junior High School, 1973 - 1975.

League Umpire for Buckingham Baseball League, 1973 - 1976.

Document 22 Produced by Plaintiff
in Response to Defendants' Request
for
Production of Documents
Equal Employment Guidelines
of
Extension Service
Filed District Court April 30, 1985

EQUAL EMPLOYMENT OPPORTUNITY

(For more information on this topic see the civil rights file in each county office, or contact J. D. Dodson, civil rights coordinator.)

(Title 7 - Agriculture, Subtitle A, Office of the Secretary, Part 18) It is an unlawful employment practice for an employer "to fail or refuse to hire or to discharge any individual or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment because of such individual's race, color, religion, sex or national origin."

Some of the administrative guidelines established to implement the Civil Rights Acts of 1964 and 1972 are:

1. The search procedures used should assure equal opportunity for qualified candidates to be considered for appointment.

a. N. C. Extension Administration has determined that paraprofessionals should be recruited from within the county with a vacancy.

b. N. C. Extension Administration has determined that job announcements for secretarial positions should go to appropriate sources in the county and to contiguous counties to that county with the vacancy.

c. N. C. Extension Administration has determined that position announcements for agent positions shall be distributed to appropriate sources in contiguous states to North Carolina.

d. Position announcements for district and state level positions are distributed to a source list including agencies and institutions in all states.

2. Objective criteria shall be used in the screening and selection of candidates. Some of the following concepts should be considered in the selection process.

a. Do not arbitrarily select the candidate with a high volume of accomplishment when the specific requirements of the vacant position are entirely different.

b. Do not be misled that seniority by itself usually produces the top candidate.

c. Unrelated personality traits seldom produce valid evaluation criteria.

d. Insure that the selection criteria are not placing any highly-qualified group of minorities of women at a relative disadvantage.

e. Insofar as possible, position vacancies are to be filled at the level they occur by promotion from within the organization.

3. Personal interviews and evaluative techniques shall be used objectively and on a non-discriminatory basis.

4. The individuals responsible for seeking, screening, and selecting candidates should document that they have complied with administrative guidelines.

Document 23 Produced by Plaintiff
in Response to Defendants'
Request for Production of Documents

Filed District Court April 30, 1985

Box 663
Warrenton, North Carolina 27589
January 10, 1983

Doctor Hugh L. Liner
North Central District Extension Chairman
Box 5066
North Carolina State University
Raleigh, North Carolina 27650

Reference: Performance Review

Dear Doctor Liner:

I am still most concerned about some of the scores Mr. King gave me during my Performance Review on Tuesday, November 23, 1982. Based on the reasons he gave, I

think the scores are most unfair, and I would like to again note my thinking on some of them. I would also like for this letter to be placed with the Performance Review material maintained on me and I would like it filed as a addendum to the grievance I have heretofore filed.

To elaborate on the specific areas of my concern, I make the following observations:

8. Public Relations

b. Has effective working relationships with relevant groups.

Mr. King's score: 2 1/2

Ballinger Score: 5

Mr. King's comment on his scoring was that some people thought I was short with comments with some people when they wanted to enter exhibits at the County Fair.

Upon further questioning of Mr. King, he admitted that he based his assessment on a conversation he overheard in which a man was talking about some craft exhibits

he wanted to enter in the Home Economics Department. The person did not tell Mr. King and was, in fact, not talking to Mr. King. You will recall that I further asked Mr. King if he had checked to see what really happened so far as I was concerned. His answer was, "no."

It disturbs me greatly that I would be evaluated so low on the basis of an overheard, unfounded rumor which Mr. King made no effort to further investigate.

When I requested that you discuss my performance and cooperation as relates to the Fair with the President of the Warren County Fair Association and the Warren County Fair Manager, you indicated that you did not feel such was necessary. Nevertheless, you left the mark on my Performance Review which had been placed there by Mr. King. Please understand that I consider it necessary since the mark affects the way I am viewed by those in the Extension Service and also materially

affects the salary increases I receive or do not receive.

I would also like to bring to your attention that according to the dates on the Performance Review Guide, the review period covered by this latest review was from October 1, 1981, through September 30, 1982. The incident which Mr. King cited as forming the basis for the 2 1/2 score took place in September, 1981. Further the person whom Mr. King purportedly heard complain was an individual who wanted to exhibit a number of articles in the crafts areas of the Warren County Fair. This individual had spoken with several people connected with the Fair about his Exhibits before he ever spoke to me. In each instance, the individual had been told that each exhibitor could only exhibit one item in the Crafts' Department, a rule made by the Fair Committee. The individual was unhappy because he made and sold toy

furniture and the Fair would not permit him to display it for free in the Crafts' area. Ultimately, the individual was referred to me, and I explained that which he had already been told. I further explained to him that if he wanted to display his complete line that he should investigate the possibility of renting a commercial booth space, and that the fair director would be the proper party with whom to speak. I even went to the fair directors and requested that a commercial booth space be made available for the individual even though all of the booths had already been filled. As a result of my efforts, the individual did display his wares at the fair.

I feel the score that I was given by Mr. King was unfair in every respect and particularly since the incident upon which it is purportedly based took place prior to the evaluation period and months before Mr. King was made County Chairman.

9. Staff Relationships

a. Maintains effective working relationships with other staff members - county, area, and state.

Mr. King's Score: 2 1/2

Ballinger Score: 5

b. Contributes to the total "county team" efforts as appropriate.

Mr. King's Score: 3

Ballinger Score: 5

c. Deals with interpersonal problems and conflict situations in a professional manner.

Mr. King's Score: 2 1/2

Ballinger Score: 5

Mr. King's comment: "Needs to develop more positive attitude of fellow staff."

Note: He did not give any further explanation on what he meant. I have no idea what he means by this since so far as I know, I have worked with other staff members as the situations are appropriate.

Mr. King's comment: "Needs to take into consideration their point of view."

Note: He did not give any further explanation. I do not know when I have not carefully considered and taken into account the views of others.

Mr. King's comment: "Don't criticize fellow agents."

Note: He did not give any further explanation. I do not know what he is talking about.

Mr. King's comment: "Would not serve on Christmas Party Committee."

Note: His comment is simply untrue. Mr. King mentioned to me that he was considering having a committee to plan an office Christmas party and he wanted to know if I wanted to serve on the committee. My answer was, "If I am appointed, I will serve."

Mr. King's comment: "Mrs. Clark feels she has a negative attitude."

Note: In making this statement, Mr.

King was referring to a conference we had had with Mrs. Clark. The conference concerned an incident I felt I needed to discuss with Mrs. Clark, and Mr. King specifically asked that I not discuss it with her without Mr. King's being present. I respected his instructions. Mrs. Clark was not pleased about being called in for a conference and during the discussion cited some incidents which had occurred about which I had to talk with her as a part of my responsibility as EFNEP supervisor. Evidently, because she had to be corrected, she interpreted the correction as my having a negative attitude.

Mr. King's comment: "In a conference in my office, you said to me I showed my ignorance."

Note: This conference with Mr. King concerned an authorization which I had been denied. I had requested an authorization to attend the Executive

Board Meeting of the North Central District Extension Homemakers' Association in Raleigh. When I asked Mr. King about it, he said he did not know where it was, but he had talked with Doctor Liner and we were not supposed to get time and travel to attend meetings of the Association of Extension Home Economists, that we only got time, and the County Chairman could sign the authorization.

I explained to Mr. King that I understood that and knew that, but that my request was not to get time and travel to a meeting of the Association of Extension Home Economists, but was for time and travel to a board meeting of the North Central District Extension Homemakers Association Executive Board to which I was serving in advisory capacity and that on previous similar meetings, I had received time and travel authorization from Doctor Liner.

In response to my comments, Mr. King

said how about putting it in the county expense account now. I pointed out that this was an unnecessary expense to be added to an already low county travel budget.

Mr. King then said let's not send in another authorization, since I have talked with Doctor Liner about it, and I thought it was just a home agents meeting when I was talking to him. I didn't know it was a different meeting. (Note: I had given him the authorization, and he had signed it one time to be sent to Doctor Liner.)

As I recall, at that time I made the comment, "That was just a case of ignorance on your part." I would also observe that since the above-mentioned, I requested an authorization to attend another meeting of the North Central District Extension Homemakers Association. Again, Mr. King said he could give the authorization. Again, I had to explain to him that this was a meeting for which Dr.

Liner should give the authorization -- that it was an Extension Homemakers meeting and not an Association of Extension Home Economists meeting.

11. Office Management.

b. Keeps an up-to-date filing system for area(s) of responsibility.

Mr. King's Score: 2 1/2

Ballinger Score: 4

Mr. King's comment: "All agents' files need to be updated."

Note: I will admit that my files need to be gone through, but I feel the 2 1/2 score is too low.

12. Supervisory Performance (Agents working with paraprofessionals and volunteer staff).

b. Maintains climate for free and open communication.

Mr. King's Score: 3

Ballinger Score: 5

Mr. King's comment: "The aides feel intimidated by Miss Ballinger. They do

not feel free to talk to other staff members.

Note: I feel this is a most unfair assessment. I requested that Mr. King talk with the aides about purported feelings of intimidation with or without my being present, and if they felt I intimidated them, then I would accept this score without complaint. Otherwise, I was very opposed to it. Doctor Liner did not feel it was advisable to talk with them.

c. Counsels and guides efforts of staff as appropriate.

Mr. King's Score: 3

Ballinger Score: 5

Mr. King's comment: "Feels that Miss Ballinger needs to go with the aides more to visit homes. Does excellent with EFNEP overall."

Note: I admit that I do not go on field visits with the aides often because they tell me their families are very uncomfortable when another person is with

them, and that they (the aides) feel they do not have an effective working visit when someone is with them. When Doctor Liner indicated that he felt this was true, he further observed that he would like for each aide to have visits by the supervisory agent at least one time a year. I indicated that I would do this.

If Mr. King feels that I have an excellent overall EFNEP, I feel that 3 is too low to score me just because I have not made home visits with the aides as much as he thinks I should, particularly in light of the reasons I have not made the visits.

5. Program Implementation.

b. Seeks out new and expanding audience.

Mr. King's Score: 2 1/2

Ballinger Score: 4

Mr. King's comment: "Needs to seek out new audience."

Note: I made a special effort to offer programs for new audiences, but I

cannot determine whether or not individuals take advantage of the educational opportunities provided.

Among the new audiences I worked with during the past year are the following:

Snow Hill Church Group two meetings	25 people
Weight Control Classes	15 people
Women and the Law	25 new people
Afton Ruritan Club	12 people
Norlina Women's Club	15 people
World's Fair Educational Tour	34 new people

I also maintain an extensive mailing list, and I send notices to those on the list about special meetings and events. I also use the media (radio; newspaper) to publicize educational opportunities.

I feel that the score given by Mr. King is to low in light of the efforts I make as compared with other agents.

7. Response to Clients' Requests for Assistance.

c. Follows up with additional assistance and educational programs as needed.

Mr. King's Score: 3

Ballinger Score: 5

Mr. King's comment: "Needs to follow up better for young clients."

Doctor Liner's and Mr. King's comment: "No major problem, 3's average."

Note: I do not know of any incident when I have not followed through on requests for additional assistance with educational programs, visits, or materials when they have been requested of me.

I certainly make no distinction in the level of service to clients on the basis of age. I have always exerted above average effort on everything I undertake, and it is of no consolation to me that 3 is average, since I feel that my performance was above average.

6. Program Evaluation.

b. Gathers evidence of program results.

Mr. King's Score: 3

Ballinger Score: 4

c. Communicates results to appropriate groups.

Mr. King's Score: 3

Ballinger Score: 4

d. Assesses effectiveness of methods and resources.

Mr. King's Score: 3

Ballinger Score: 4

Note: Since it has been indicated that Mr.King considers 3 average, I feel this score is too low because my performance in these areas is above average.

I think that a performance review can be very helpful, provided it is based on an agent's overall performance. If a specific case is cited by the County Extension Chairman as being the reason for a low score, I think that chairman should at least ascertain that he has all of the relevant facts concerning the case in point before using the unverified

allegations as the basis of his evaluation on a performance report. It is my feeling that because of Mr. King's limited experience with the Extension Service, and even more limited experience as County Chairman, that he did not have a reference upon which to base his decisions, and that in many cases, he did not take into consideration the policies of the Agricultural Extension Program.

I feel that my performance during the period from October 1, 1981, through April 30, 1982, should have been evaluated by the County Chairman during that period of time, and not by Mr. King who was, during that period of time, neither County Chairman, my supervisor, nor even a full agent.

This is the worst performance review report I have had in the 34 years I have been with the Agricultural Extension Service. My reports heretofore have been good, and my scores, and those of those of

the reviewing county chairman, have usually agreed and been much closer than these on my 1981-82 Performance Review.

I feel that I have been unfairly rated low because I filed a grievance over my not being appointed Warren County Extension Chairman when Mr. King was selected. I also feel that your failure to take into consideration my comments with reference to the evaluation, and Mr. King's failure to correct the scores when faced with facts which disclosed his scores were in error, is indicative of a continuation of the discrimination to which I have been subjected and as reflected in the grievance I filed.

Sincerely,

s/Emily Ballinger

Home Economics Extension Agent

cc:

Mr. Russell King

County Extension Chairman

101 South Main Street

Warrenton, North Carolina 27589

RESPONSE OF
NORTH CAROLINA STATE UNIVERSITY
AND THE NORTH CAROLINA
AGRICULTURAL EXTENSION SERVICE
TO PLAINTIFF'S FIRST INTERROGATORIES

Filed District Court April 30, 1985

Plaintiff has served identical sets of interrogatories upon North Carolia State University and the North Carolina Agricultural Extension Service. The Agricultural Extension Service is a component of North Carolina State University. They jointly respond to plaintiff's interrogatories as follows:

1. Plaintiff's interrogatories are answered for and on behalf of North Carolina State University and the North Carolina Agricultural Extension Service by Chester D. Black, Associate Dean of the School of Agriculture and Life Sciences at North Carolina State University and Director of the North Carolina

Agricultural Extension Service. The information requested in subsections (a) through (i) of Interrogatory 1 is set forth in Attachment 1.

2. The Persons responsible for managing personnel functions within the North Carolina Agricultural Extension Service are its director, associate director, assistant director for county operations, and district extension chairmen. The persons occupying positions of director, associate director, and assistant director for county operations are involved in personnel matters from all districts within the State, and the information requested in subsections (a) through (g) of Interrogatory 2 for these persons is set forth in Attachment 2. In addition, the district chairman is involved in personnel decisions within his district, and the information requested in subsections (a) through (g) for the district chairman responsible for Warren

County is set forth in Attachment 2.

3. The information requested in Interrogatory 3 is set forth in the affirmative action plans for North Carolina State University for 1978-83 and 1983-86 which are appended as Attachments 3(a) and 3(b), respectively. These plans cover the employees of the Agricultural Extension Service who are located on the NCSU campus, but do not extend to the employees of the Agricultural Extension Service who work in the counties. These plans were developed pursuant to Executive Order 11246, and were recognized in the Consent Decree entered into between the University of North Carolina and the Federal Government.

4. Except as objected to, the personnel records maintained by the Agricultural Extension Service are described in Attachment 4. Included with Attachment 4 are blank copies of some personnel forms utilized by the

Agricultural Extension Service.

5. Except as objected to, the selection procedures for the position of county extension chairman used by the Agricultural Extension Service are described in Attachment 5(a). Attachment 5(b) describes the policies of the Agricultural Extension Service for the appointment, promotion, and tenure of county extension personnel in effect between 1971 and 1980 and Attachment 5(c) describes the policies in effect since February of 1980. Attachment 5(d) sets forth job descriptions for various positions within the Agricultural Extension Service.

6. See Attachments 5(b), 5(c) and 5(d).

7. See Attachments 5(b), 5(c) and 5(d).

8. Defendants do not contend that males are "uniquely or more qualified to serve as county chairmen than females."

9. The relationship between the Agricultural Extension Service, North Carolina State University and boards of county commissioners is described in the Memorandum of Understanding appended as Attachment 9(a), Attachment 9(b) is a copy of the executed Memorandum of Understanding entered into between the Agricultural Extension Service, North Carolina State University and the Warren County Board of Commissioners.

10. Except as objected to, see Attachments 5(a), 5(c) and 5(d).

11. The documents contained in Attachments 5(a), 5(b), 5(c) and 5(d) were not provided the Warren County Commissioners, though the contents of those documents were explained to the Warren County Commissioners.

12. The criteria applied by the Agricultural Extension Service in making recommendations regarding the appointment of county extension chairmen are

generally: (1) demonstrated leadership ability; (2) demonstrated administrative and management capabilities; (3) human relations and communications skills; (4) past performance; (5) length of service; and (6) educational qualifications and training.

Applying these criteria to the plaintiff and Russell King, the Agricultural Extension Service determined that both persons should be, and were in fact, recommended to the Warren County Commissioners for appointment as Warren County Extension Chairman. The plaintiff's strengths were the length of her service with the Agricultural Extension Service and her educational qualifications and training. Her weaknesses, especially as compared with Mr. King, were judged to relate to her demonstrated leadership ability, demonstrated administrative and management skills, human relations and communications

skills, and, in recent years, her work performance. By contrast, Mr. King's strengths were judged to be his demonstrated leadership ability, his demonstrated administrative and management capabilities, his human relations and communications skills, and his work performance. These strengths were tempered by his relatively short length of service with the Agricultural Extension Service.

In short, the plaintiff and Mr. King were judged to be sufficiently qualified for recommendation to the Warren County Commissioners, but for different reasons.

13. Defendants have objected to this interrogatory in its entirety.

14. The information requested in subsections (a) through (d) of Interrogatory 14 is set forth in Attachment 14, except that the last known address of the persons listed in Attachment 14 may be obtained from

directories in plaintiff's possession.

15. Except as objected to, the information requested in Interrogatory 15 is contained in Attachment 14.

16. Except as objected to, the information requested in Interrogatory 16 is contained in Attachment 14.

17. Except as objected to, the information requested in Interrogatory 17 is contained in Attachment 14.

18. Approximately 1300 persons are employed in the Agricultural Extension Service. Other than the plaintiff, no other employee in the Agricultural Extension Service has filed any age or sex discrimination grievance. Defendants have objected to the remainder of this interrogatory.

19. Russell King and the plaintiff were both advised that an increase of $2,500 would be made in the salary of the individual selected for the County Extension Chairman in Warren County. Both

were further advised that Warren County would contribute $7,000 toward the salary of the person selected.

20. Prior to May 1, 1982, Russell King's salary was $20,655. On May 1, 1982, his salary was increased to 23,155. In 1983 his salary was increased to $25,609 and in 1984 his salary was increased to $28,178.

21. Funding for the Agricultural Extension Service is described in Attachment 21.

Attachment 5a

Filed District Court April 30, 1985

SELECTION PROCEDURES FOR THE POSITION OF COUNTY EXTENSION CHAIRMAN

The position of County Extension Chairman is an important and highly visible position within the NCAES structure. It is not considered by NCAES to be in a promotional line with that of assistant, associate and full extension

agent. Rather, the County Chairmanship of a particular county is a position which must be specifically applied for when a vacancy occurs.

An individual is eligible for consideration for appointment as County Extension Chairman at such time as he or she has completed six years of service with the NCAES or equivalent experience. At least two years must have been in service with NCAES. A Master's degree is a desirable qualification but not mandatory. As with eligibility for title promotion, a Master's degree is worth one year of experience and a doctorate is worth two years. As the position of County Extension Chairman carries administrative and leadership responsibilities as well as a subject matter program work load, depending on the particular needs of the county, the position is one which requires serious consideration in selection of a qualified

candidate to present to the Board of County Commissioners. When it is known that a vacancy is going to occur, the District Extension Chairman meets with the Board of County Commissioner to discuss the particular subject matter needs and competencies required for the county extension chairman as reflected by the needs of the individual county. From this input, the District Chairman and state administrative staff prepare the vacancy announcement.

Since 1970, vacancy announcements of positions of county chairman are published by NCAES and circulated among the county staffs, and the mailing list utilized in recruitment of agents, some 26 institutions of higher learning. The announcement contains the county and the subject areas of responsibility which the county chairman must carry in addition to his or her administrative duties.

Applicants for the position of County

Extension Chairman must apply in writing and applicants must possess the minimum qualifications in terms of experience to be considered. The applicants are then screened to determine which applicants possess the appropriate subject matter experience required in the job and other minimum qualifications. Important factors utilized in selection of applicants to go through the interview process are subject matter expertise required in the county, demonstrated leadership in present and previous positions, demonstrated administrative and management capabilities, educational background and advanced training and human relations and communications skills.

In the event that the applicant is an agent from within the ranks of NCAES, his or her performance and ability in managing extension programs will be well known due to the extensive performance evaluation system utilized by NCAES in its promotion

and merit salary process. Applicants who possess the minimum qualifications and have developed the skills desired in the position of county chairman are interviewed.

To ensure fairness and an objective setting, the applicants are interviewed by the District Extension Chairman, the Assistant Director for County Operations, the Associate Director and Director of NCAES. This panel examines the credentials of the applicants for strengths and weaknesses and develops through consensus recommendations for the Board of Commissioners in the county where the vacancy is located.

The qualifications of the candidates and the desires of the specific Board of County Commissioners for interviews determines the number of applicants presented for local interviews. The interview schedule is developed in accordance with the Board of County

Commissioners' instructions. The Board of County Commissioners must concur where one applicant is presented and have the prerogative of selection where more than one candidate is presented.

Attachment 5(b)

Filed District Court April 30, 1985

NORTH CAROLINA
AGRICULTURAL EXTENSION SERVICE
APPOINTMENTS, PROMOTION, AND TENURE
OF COUNTY EXTENSION PERSONNEL

A. COUNTY EXTENSION AGENTS

The County Extension Agent is a member of the professional faculty of North Carolina State University. He has primary responsibility for planning, executing, and evaluating that phase of the total county Extension program within his assigned area(s) of program responsibility. He cooperates with his colleagues in the North Carolina Agricultural Extension Service and county leaders in performing his assigned

responsibility. The performance of his assigned responsibility is governed by philosophy, objectives, policies, and procedures of the N. C. Agricultural Extension Service.

1. Criteria for Appointment

a. All professional employees must meet the qualifications for the position of County Extension Agent as set forth in the Miscellaneous Extension Publication No. 48, "Job Description, N. C. Agricultural Extension Service," March 1969.

b. Acceptability as a graduate school candidate is desirable.

2. Procedures for Appointment

a. County Extension personnel appointments are to be made jointly by the N. C. Agricultural Extension Service and the Board of County Commissioners.

b. Final approval of all appointments is given by the director, N. C. Agricultural Extension Service.

3. Tenure and Promotion Policy

a. Notice of termination of an agent will be not less than thirty days except with the consent of the agent being terminated.

b. A master's degree may be substituted for one year of equivalent experience and a doctor's degree for two years of equivalent experience. Total credit for graduate degrees shall not exceed two years of equivalent experience.

Assistant Extension Agent

An assistant agent will be evaluated at the end of the first and second year of service. At the end of the first or second evaluation, depending on equivalent experience granted, it will be recommended that, either (1) the agent be promoted to associate Extension agent when all other qualifications are met, or (2) that the agent receive a terminating appointment of not more than six months, or (3) be reappointed as an assistant Extension

agent for a period of one year with the above requirement regarding promotion or termination.

Associate Extension Agent

An associate agent must have a minimum of three years with the N. C. Agricultural Extension Service or equivalent experience. An agent entering the N. C. Agricultural Extension Service at this rank will be evaluated annually. At the end of the second year of service as an associate Extension agent, depending on equivalent experience granted, it will be recommended that (1) the agent be promoted to the title of Extension agent when all qualifications are met, or (2) that the agent receive a terminating appointment of not more than six months, or (3) be reappointed as an associate Extension agent for a period of two years with the above requirements regarding promotion or termination applying at the end of the third year of service.

Extension Agent

An Extension agent must have a minimum of seven years with the N. C. Agricultural Extension Service or equivalent experience. Two years of this equivalent experience must have been with a state cooperative Extension service. An agent entering the N. C. Agricultural Extension Service at this rank will be evaluated annually. At the end of the second year of service as an Extension agent, it will be recommended that, either (1) the agent continue in his present rank as long as he maintains a satisfactory performance evaluation, or (2) the agent receive a terminating appointment of not more than six months.

B. COUNTY EXTENSION CHAIRMAN

The county Extension chairman is a member of the professional faculty of North Carolina State University. The major responsibility of this job is to provide leadership for, and coordinate the

efforts of, the Extension staff in developing an effective total Extension program. Other responsibilities include organizing and allocating resources, preparing budgets, maintaining administrative relationships, interpreting and communicating policy, teaching, evaluating, and reporting in his assigned county.

1. Criteria For Appointment

a. An individual must meet the qualifications of the county Extension chairman as set forth in the Miscellaneous Publication No. 48, "Job Description, North Carolina Agricultural Extension Service," March 1969.

b. A minimum of seven years with the N. C. Agricultural Extension Service or equivalent experience. Two years of this equivalent experience must have been with a state cooperative Extension service. A master's degree may be substituted for one year of equivalent experience and a

doctor's degree for two years of equivalent experience. Total credit for graduate degrees shall not exceed two years of equivalent experience.

2. Procedures For Appointment

a. County Extension chairmen appointments are to be jointly by the N. C. Agricultural Extension Service and the Board of County Commissioners.

b. Final approval of all appointments is given by the director, N. C. Agricultural Extension Service.

3. Tenure Policy

a. A chairman will be evaluated annually and must maintain a satisfactory performance evaluation record.

b. Notice of termination of a chairman will not be less than thirty days except with the consent of the chairman terminated.

October 12, 1971

ATTACHMENT 5(c)

Filed District Court April 30, 1985

NORTH CAROLINA AGRICULTURAL EXTENSION SERVICE APPOINTMENT, PERFORMANCE REVIEW AND PROMOTION POLICIES FOR COUNTY EXTENSION PERSONNEL

County Extension staff members have primary responsibility for planning, executing and evaluating that phase of the total county Extension program within their areas of assignment. They cooperate with their colleagues in the N. C. Agricultural Extension Service and county leaders in performing their assigned responsibilities. The performance of this assigned responsibility is governed by philosophy, objectives, policies and procedures of the N. C. Agricultural Extension Service.

1. APPOINTMENT POLICY

a. Criteria for Appointment

The minimum requirement for employment with the N. C. Agricultural Extension Service is a Bachelor's degree

in an area related to the agent's assigned program responsibilities. A Master's degree in an area related to job responsibilities or acceptability as a graduate school candidate is desirable.

b. Procedures for Appointment

Extension agents are representatives of the U. S. Department of Agriculture and charged with carrying out educational work of the department. They are also designated as field faculty members of either N. C. State University or N. C. A & T State University with professional rank. They are appointed upon approval of the Board of County Commissioners.

2. PERFORMANCE REVIEW POLICY

a. A performance review and evaluation will be conducted on each agent annually by the County Extension Chairman and in alternate years jointly by the County and District Extension Chairmen. County Extension Chairmen will be evaluated annually by the District

Extension Chairman. All new agents will be evaluated at the end of their first year of employment jointly by the County and District Extension Chairmen. A satisfactory performance review and evaluation establishes eligibility for continued service and/or promotion when all other requirements are met. An unsatisfactory performance review and evaluation subjects the agent to the provision of 2.b. or reappointment for a period of one year.

b. Notice of termination of an agent will be not less than thirty days except with the consent of the agent being terminated or more than six months.

3. PROMOTION POLICY

a. From Assistant to Associate Extension Agent

An Assistant Agent is eligible for consideration for promotion to Associate upon having satisfactorily completed three years* of service with the N. C.

Agricultural Extension Service or equivalent experience. The agent must submit an application for promotion.** The County and District Extension Chairmen will review and make recommendations to Extension Administration. The District Extension Chairman will get recommendations from the relevant District Program Leader.

b. From Associate Extension Agent to Extension Agent

An Associate Agent is eligible for consideration for promotion to Agent upon having satisfactorily completed seven years* of service with the N. C. Agricultural Extension Service or equivalent experience. (Two years of which must have been with an Agricultural Extension Service.) The agent must submit an application for promotion.** The County and District Extension Chairman will review and make recommendations to Extension Administration. The District

Extension Chairman will get recommendations from the relevant District Program Leader.

c. County Extension Chairman

An individual is eligible for consideration for appointment as County Extension Chairman upon having satisfactorily completed six years* of service with the Agricultural Extension Service or equivalent experience. Two years must have been with the N. C. Agricultural Extension Service. A Master's degree is highly desirable. An individual interested in the position should submit an application to the Assistant Extension Director, County Operations, for consideration.

*A Master's degree may be substituted for one year of equivalent experience and a Doctor's degree for two years of equivalent experience.

**Applications are to be submitted to District Extension Chairmen no later than

March 1 of each year.

ADDENDUM
NORTH CAROLINA
AGRICULTURAL EXTENSION SERVICE
APPOINTMENT, PERFORMANCE REVIEW
AND
PROMOTION POLICY FOR
COUNTY EXTENSION CHAIRMEN

SITUATION: The responsibilities of the County Chairman position require leadership, administrative abilities, and human relation skills crucial to organizational success and the careers of the agents employed in the county program.

Because of the importance of these factors and to preserve the professional status of your career in the Extension Service, the following addendum has been added to the current policy and tenure publication dated October 12, 1971.

POLICY ADDENDUM Section B. Article 3. - Tenure Policy

(a) Extension Chairmen appointed from other positions will receive counsel at regular intervals by District Extension

Chairmen or other administrative personnel as to their performance in the role of County Extension Chairman.

(b) At the end of one year in the position, an in-depth performance review will be held by the District Extension Chairman. At this time one of the following actions will be taken.

(1) Satisfactory performance will merit continuation in the position and the employee becomes subject to sub-article (c) below.

(2) Conditional performance will result in continuation for a one-year term at which time the chairman will receive a satisfactory or unsatisfactory performance rating.

(3) Unsatisfactory performance will lead to the employee's reappointment to a position comparable to the position previously held, if appropriate.

(c) A chairman will be evaluated annually and must maintain a satisfactory

performance evaluation record.

(d) Notice of termination of a chairman will be no less than thirty days, except with the consent of the chairman terminated.

Acknowledgement of acceptance of this addendum is attested to by the signatures below.

Signed: _____

County Extension Chairman

Date: _____

Signed: _____

District Extension Chairman

Date: _____

Distribution: One copy to each signer

February, 1980

COUNTY EXTENSION CHAIRMAN

Job Summary

The County Extension Chairman is a member of the faculty of North Carolina

State University. The major responsibility of this job is to provide leadership for, and coordinate the efforts of, the county Extension staff in developing an effective total county Extension program. Other responsibilities include organizing and allocating resources, preparing budgets, maintaining administrative relationships, interpreting and communicating policy, teaching, evaluating, and reporting in his assigned county.

Major Functions and Tasks

Function 1. Develops and maintains a comprehensive understanding of the role of the North Carolina Agricultural Extension Service as an educational agency and its implications for administration and programming of his county.

Tasks:

1. Seeks to understand the philosophy, objectives, and policies of the North Carolina Agricultural Extension

Service.

2. Encourages county Extension staff members to maintain an understanding of the philosophy, objectives, and policies of the North Carolina Agricultural Extension Service.

3. Seeks to understand and encourages staff members to gain an understanding of the organization of resources of the North Carolina Agricultural Extension Service and their utilization.

4. Seeks to understand his role as County Extension Chairman and the relationship of his role to others in the Service.

Function II. Develops and maintains for himself and helps other staff members to develop and maintain a comprehensive understanding of the County Extension Service as a functioning component of the North Carolina Agricultural Extension Service.

Task:

1. Provides leadership for the county staff in assessing the county situation in terms of social and economic factors.

2. Interprets to the county staff the role of the County Extension Service in effecting changes in the county situation.

3. Continuously examines with his professional staff their role as change agents.

4. Continuously studies and assesses the effectiveness of the total county Extension program and plans with the county staff for needed program modifications.

5. Provides leadership for his co-workers in thinking through plans for involving the leadership of the county in planning, implementing, and evaluating the county Extension program.

Function III. Accepts the

responsibility for personnel management of the county Extension staff.

Tasks:

1. Cooperates with the District Chairman, District Agents, and county staff members in selecting new county Extension agents.

2. In cooperation with the District Chairman, presents prospective employees to the Board of County Commissioners for their approval.

3. Collaborates with the district Extension staff and the county Extension staff in the assignment of job responsibilities for each county staff member.

4. Cooperates with the district staff and appropriate county staff members in planning for and providing induction training for new staff members at the county level.

5. Cooperates with the District Agents, subject-matter Specialists, and

county staff members in organizing and providing in-service training programs for agents.

6. Creates a climate conducive to high morale and develops good working relationships among members of the county staff.

7. Counsels with the District Chairman, District Agents, and appropriate county staff members on appraisal of county personnel.

8. Counsels with the District Chairman regarding title changes, promotions, and salary adjustments for members of the county staff.

9. In collaboration with other county staff members, recruits, selects, and recommends for appointment secretarial staff for the county Extension office.

10. Accepts responsibility for seeing that secretarial work loads are equitably distributed.

Function IV. In cooperation with

District Chairman, District Agents, and County Commissioners, accepts responsibility for preparation and maintenance of the county Extension budget.

Tasks:

1. Counsels with county staff in determining needs for adequate housing, office equipment, supplies, demonstration materials, etc.

2. Counsels with the District Chairman in the preparation of the county Extension budget.

3. Prepares county budget requests, and with assistance of other appropriate persons, presents and justifies budget requests to the County Commissioners for their consideration.

4. Informs District Chairman and county staff members of the county Extension budget as approved by the County Commissioner.

5. Exercises controls of the

expenditures of budgeted funds and keeps adequate records.

Function V. In cooperation with the county staff, organizes and maintains an effective Extension advisory board to plan the county Extension program.

Tasks:

1. Interprets the role of the County Extension Advisory Board to the county staff.

2. Identifies with members of the county staff the qualifications needed by leaders to perform effectively on the Advisory Board.

3. Collaborates with the county staff and the leadership of key county organizations in the identification and selection of leaders to serve on the County Advisory Board.

4. Cooperates with staff in organizing and conducting training for members of the County Advisory Board.

Function VI. In cooperation with

the county staff and County Advisory Board, plans all areas of the total county program.

Tasks:

1. Assists county staff and Advisory Board in identifying types and sources of pertinent information needed to plan the county Extension program.

2. Provides leadership for county staff and Advisory Board in analyzing and interpreting information needed as a basis for identifying problem areas for possible treatment in the planned county program.

3. Provides leadership for county staff and Advisory Board in determining the kinds and number of study groups needed to analyze in depth those problem areas identified collectively by both the county staff and the Advisory Board.

4. Assists agents and Advisory Board members in interpreting the role of study groups and their relationship to the Advisory Board.

5. Collaborates with agents and Advisory Board in identifying and selecting potential leaders appropriate for the several study committees.

6. Provides leadership as appropriate for individual agents in forming and maintaining study groups.

7. Assists agents as needed in helping study groups identify needs, problems, and opportunities within their assigned program area.

8. Assists agents as needed in helping study groups formulate program recommendations for consideration by the total county staff and Advisory Board.

9. Reviews with the Advisory Board and staff recommendations of the several study groups in order that necessary modifications may be made and priorities established for the planned county program.

10. Assists the county staff in coordinating plans for the Extension

program with those of related organizations and agencies.

Function VII. Provides leadership and cooperates with the county staff in the preparation of the long-range written county Extension program.

Tasks:

1. Delegates to appropriate county staff members the responsibility for preparing a written program statement for their assigned area(s) of responsibility that incorporates the deliberations of his study group(s).

2. Assists members of the county staff in preparing program statements for their assigned areas of program responsibility.

3. In collaboration with county staff members, develops an integrated total county Extension program.

4. Discusses with the county staff plans for achieving mutually agreed upon objectives.

Function VIII. Provides leadership for the county staff in communicating the planned Extension program to the people.

Tasks:

1. Takes leadership and cooperates with his co-workers in preparing a popularized version of the planned county Extension program.

2. Sees that the program statement is interpreted to all people concerned.

3. Acts as liaison or designates an appropriate staff member to represent the county Extension staff in communicating the program to personnel of related agencies and organizations.

4. Establishes and maintains rapport with personnel of mass media and arranges for appropriate releases and presentations.

5. Utilizes all available channels of communication to ensure comprehensive public understanding of the planned program.

Function IX. Accepts the responsibility for leadership in preparing and submitting on schedule a well-coordinated and integrated county plan of work.

Tasks:

1. Understands and communicates to the staff the purpose of the plan of work and its relationship to the planned county program.

2. Provides leadership for county staff in analyzing the planned program and determining program areas and problems to be emphasized in the immediate and succeeding plans of work.

3. Counsels with agents in determining the time sequence for developing educational plans for attacking problems enumerated in the planned program.

4. Assigns to individual members of his professional staff the responsibility of developing plans of work for the

several problem areas identified in the planned program and that are consistent with their assigned areas of program responsibility.

5. Takes the leadership in assisting the staff to develop an integrated county plan of work.

6. With the county staff, apprises the County Advisory Board of educational plans outlined for a designated time to cope with problems enumerated in the planned program.

Function X. Provides leadership in planning and initiating action needed to implement all areas of program responsibility in the planned program.

Tasks:

1. Assists county staff in determining activities to be undertaken in the implementation of the plan of work.

2. Provides leadership for staff in determining and obtaining resources needed to implement the plan of work.

3. Counsels with staff regarding recruitment and selection of leaders to assist in carrying out the plan of work.

4. Assists staff in planning for and providing the training needed to equip leaders and staff members to carry out assigned program responsibilities.

5. Encourages and assists staff members in developing and maintaining two-way channels of communication with leaders in carrying out various activities encompassed in the plan of work.

6. Provides opportunities for staff to discuss continuously problems and progress being experienced in carrying out the plan of work.

Function XI. In cooperation with the county and district staffs, develops and implements a plan for evaluating the planned county Extension program and in making appropriate reports.

Tasks:

1. Provides leadership in

determining the effectiveness of the planned county program.

2. Assists staff as needed in assessing the effectiveness of human and material resources utilized in achieving the educational objectives of the plan of work.

3. Helps determine the progress made in the achievement of long-range objectives.

4. Accepts responsibility for and makes appropriate delegations to members of the staff for the preparation and submission of reports relating to achievement of program objectives.

5. Takes necessary action in ensure that all county reports are prepared and submitted on schedule and in accordance with regulations.

6. Utilizes the results of the evaluation to suggest needed changes in implementing or in redirecting the planned county program.

Function XII. Continuously strives to maintain and encourages the county staff to maintain a high level of professional competence.

Tasks:

1. Establishes for himself a set of personal and professional goals.

2. Continuously reviews and evaluates his personal and professional goals in relation to his personal aspirations and the demands of the job.

3. Evaluates his level of competence in relation to his personal goals.

4. Identifies and evaluates potential professional development opportunities in relation to his level of competence and professional goals.

5. Takes leadership in developing professional improvement programs as they relate to the levels of competence and professional objectives for himself and members of his staff.

6. Obtains the counsel and approval

of his District Chairman in developing and implementing programs of professional improvement for himself and his staff.

Function XIII. Maintains a well-planned program of staff operations in support of the county Extension program.

Tasks:

1. Arranges for, organizes, and conducts regular staff conferences.

2. Provides an opportunity at staff conferences for each staff member to report and discuss significant accomplishments, experiences, and current situations.

3. Reviews communications from his superiors and keeps the staff apprised.

4. Communicates to his superiors changing situations and/or problems relating to Extension work in the county.

Relationships

The County Extension Chairman is the administrative leader of the county

Extension staff in his assigned county. He is responsible to the Office of the Director through the District Extension Chairman and other members of the district staff for all program and administrative matters in his assigned county. In this capacity he provides leadership in coordinating the efforts or the county staff in developing the total county Extension program. He develops and maintains effective relationships with all members of the Extension Specialist staff.

The County Chairman is responsible for establishing and maintaining effective working relationships with the Board of County Commissioners and County Extension Advisory Board. He is expected to keep these groups apprised about the county program and to seek continuously their counsel and advice.

To increase the effectiveness of the county Extension program, the County Extension Chairman provides leadership for

his staff and takes the initiative in establishing sound relationships with other governmental agencies and farm, home, and youth organizations in his county. He also maintains liaison with civic organizations, related businesses, informal educational organizations, and other voluntary groups.

Qualifications

A. Education and Experience

The desired level of formal training for the County Extension Chairman is a Master's degree from an accredited institution in a field related to supervision and administration. The minimum requirement is the bachelor's degree in an area related to Extension work.

In addition to his formal education, the County Extension Chairman must have had successful Extension experience as adjudged by demonstrated ability to plan, organize, and work with people.

B. Personal Attributes

Successful performance of the duties encompassed in the County Extension Chairman's job requires that the individual possess the qualities of an educational leader and statesman, habits of industry, a sense of responsibility, a genuine appreciation for the worth of the individual, and a high degree of objectivity.

The responsibilities of the job require the individual to possess good health.

ATTACHMENT (b)
MEMORANDUM OF UNDERSTANDING
between
The N. C. Agricultural Extension Service
N. C. State and A & T State Universities
and
The Board of County Commissioners

The North Carolina Agricultural Extension Service was established as a part of the School of Agriculture and Life Sciences of North Carolina State University by Federal and State

legislation for the specific purpose of "extending" the educational service of the University to the people of the State on subjects relating to agriculture, home economics, 4-H and youth, and community and natural resource development. The laws creating Extension were specifically designed to ensure that the findings of research were communicated to the people. Under the Appropriations Act of 1972, funds were provided to the 1862 Land Grand Universities to enhance the extension outreach of the 1890 Universities of which A & T State University is one. The Food and Agriculture Act of 1977 stipulated that these funds would be appropriated directly to the 1890 Institutions and formalized the Extension program as an official part of the School of Agriculture at this institution. However, to provide effective coordination, administrative contacts will be handled by the county and district chairmen of North Carolina State

University with appropriate attention given to A & T State University personnel.

Legislation provided that Agricultural Extension work be a partnership among three levels of government -- Federal, State and County. Extension Agents are officially appointed as members of the U. S. Department of Agriculture and charged with carrying out educational work of the department. Upon acceptance by the Board of County Commissioners, they are also designated as field faculty members of either North Carolina State University with professional rank, or A & T State University.

To assure that educational programs offered by Agricultural Extension at both land-grant institutions meet the needs of local clientele, it is important that both elected and appointed officials of each level of government understand their respective responsibilities and

relationship in the conduct of this work.

RESPONSIBILITIES and RELATIONSHIPS

The North Carolina Agricultural Extension Service and the A & T State Agricultural Extension Program will:

1. Establish minimum requirements and qualifications for employment in Extension work.

2. Receive and examine applications for employment.

3. Interview and screen applicants to determine qualifications and availability.

4. Recommend to the County Commissioners qualified applicants for appointments to vacant or new Extension positions.

5. Recommend the salaries Extension agents and paraprofessionals.

6. Recommend the salaries Extension secretaries and pay the State portion according to the State Personnel Pay Plan.

7. Determine jointly with the County

Board of Commissioners the share salaries to be paid by each and provide the State and Federal share of these salaries.

8. Prepare and submit an annual budget request to the Board of Commissioners for the county's share of funding for salaries and operating expenses.

9. Provide funds for official travel necessary in the conduct of Extension work to the extent that funds are available for the purposes authorized by State and Federal policies.

10. Provide Extension agents with official envelopes, bulletins (designated for free distribution), leaflets, and other publications for educational purposes.

11. Accept responsibility and provide the leadership for administration and supervision for Extension programs and personnel, including compliance with the requirements of Affirmative Action and

Equal Employment Opportunity guidelines.

12. Develop and administer a personnel management plan that will provide for:

a. The annual review of each worker's performance.

b. Counseling for job improvements where needed.

c. Periodic county program reviews.

13. Provide a staff of specialists to continuously train agents in current technology and other changes affecting agriculture, home economics, 4-H and youth, community and natural resource development and to assist them in the conduct of work in these areas.

14. Provide Extension Workers with training programs needed to maintain effective program delivery.

15. Develop and maintain a County Advisory Leadership System to ensure that county Extension programs are based on the particular needs of people in their

respective county.

THE BOARD OF COUNTY COMMISSIONERS WILL:

1. Provide the county's share of salaries for Extension personnel.

2. Provide office space and equipment, utilities, telephone, office supplies, demonstration materials and other items needed for efficient operation of the County Extension Office and program.

3. Review and consider the annual budget request from the Extension Service and take appropriate action by July 1 of each fiscal year.

4. Confer and advise with the District and County Extension Chairmen and Extension Advisory Council relative to county Extension programs.

THE NORTH CAROLINA AGRICULTURAL EXTENSION SERVICE AND THE A & T STATE AGRICULTURAL EXTENSION PROGRAM AND THE BOARD OF COUNTY COMMISSIONERS MUTUALLY

AGREE:

1. That all county Extension appointments and separations are to be worked out jointly between the North Carolina Agricultural Extension Service and the Board of County Commissioners, and that no official action will be taken by either party regarding appointment or separation prior to discussion of the matter with the other party.

2. That the policies established by the State of North Carolina and followed by the University, be used as a guide in granting annual, sick, civil and military leave for Extension personnel.

3. To cooperate in applying Affirmative Action and Equal Employment Opportunity plans of the North Carolina Agricultural Extension Service.

4. That Extension agents will not be classified under a county classification system.

5. That Extension agents will follow

County policies relating to office hours and holidays.

We are in agreement with the above description of the responsibilities and relationships, and that this memorandum of understanding may be reviewed at any time, but shall be reviewed once each four years.

Date: June 2, 1980

s/Walter J. Harris, Chairman
Board of Warren County Commissioners

Date: July 11, 1980

s/T. C. Blalock, Director
North Carolina
Agricultural Extension Service